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THE NEW REPUBLIC

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Even in Ohio—*Paul R. Wieck*
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Air War Study Group, Cornell University
Raphael Littauer and Norman Uphoff, editors
with a preface by Neil Sheehan

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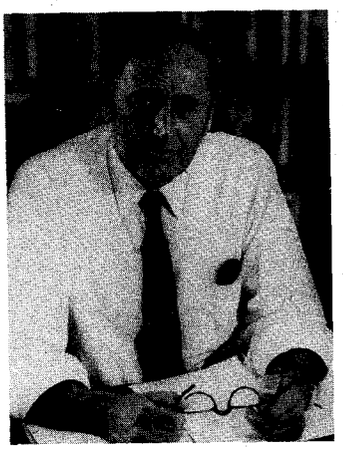

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from Washington ®
May 13, 1972

Paring Defense

We seem headed for dark days in Vietnam in the denouement of a great, futile tragedy. But at least there is some reason to hope that the US military machine, with its built-in momentum that led so logically to the Vietnam involvement, is being brought under check for the future.

On the one hand, we have President Nixon offering the tantalizing preview that his Moscow trip will produce a strategic arms limitation agreement significantly broader than had been hoped. Coming from a man who was brought up in the old doctrine that the only answer to Communism was military superiority, that's a remarkable conversion.

Just as remarkable is the way the Senate Armed Services Committee, for so long an apostle of the Cold War and a willing servant of the Pentagon, is kicking up its heels. The other day it took its first preliminary whack at the bill authorizing $22.9 billion in weapons procurement and research by the military services and ended up cutting $450 million from the administration request. The committee even dared to kill a weapons program—the Army's Cheyenne helicopter on which $380 million has been spent in the past 10 years with nothing to show for the money.

The committee is not through with its cutting. Still to come is consideration of such major controversial items as the Navy's F-14 aircraft, already costing $16 million a plane and which Grumman says it can't continue to produce unless the price is raised; a new nuclear aircraft carrier with a price tag of $1 billion; the ULMS submarine at $1 billion per model; and the Army's Safeguard ABM system whose cost seems to grow as its rationale disappears. With those price tags, it shouldn't be too difficult for the committee to find a way to cut the military request by a few billion dollars.

The amount of cuts, however, is not as significant as the fact that the committee is no longer saluting the Pentagon and forking over the money the military services say they need. Of all people, it was Barry Goldwater, the great defender of the military, who proposed that the committee kill the Cheyenne. When Goldwater starts thinking that way, something significant is happening.

It's almost enough to restore one's faith in the political process, because the conversion of the committee is an example of the political process at work. All those years of nagging by Senator Proxmire about cost overruns are finally having their impact. The Senate committee is not about to sign more blank checks so the Navy, for example, can bail out Grumman on the F-14. Even the still supine House Armed Services Committee felt compelled to hold hearings on why the Navy should pay Litton Industries an additional $400 million for five amphibious assault ships, with $110 million going to pay Litton charges for not building four other ships.

The ABM fight of a few years ago is also having its effect. It was an embarrassing experience for the Senate committee to find that other senators knew more about a weapons program, and its weaknesses, than they did. Ever since, the committee has been a little more assertive, a little less inclined to take the Pentagon's word at face value. The committee has found out that with a little homework, it too can draw judgments about weapons programs, thus demolishing the myth that military technology had become so complex that it's beyond the control and comprehension of Congress.

If you want to know what a good job Congress can do if it really wants to examine the defense budget, take a look at some of the reports on various weapons programs prepared by Members of Congress for Peace through Law. The analyses are undoubtedly as good as anything prepared for Mr. Laird or Dr. Kissinger, and they probably are far more readable. Ten or five years ago such studies from congressional quarters would have been unheard of. All of which goes to prove that Congress' problem is not so much a lack of staff—as the political scientists would have it—but an unwillingness to sit down and study national security issues.

If Congress is to exercise such independent judgment, it obviously must have access to information held by the Executive branch—which is one reason the current fight over Executive privilege and government secrecy is so important. But, as in the ABM fight, Congress is also developing its own information sources in the academic community. It's a significant development because Congress is finally being told both sides of the defense story, that is if it wants to listen.

What finally bestirred the Senate Armed Services Committee, however, was the dollar, than which there is nothing closer to a politician's heart except the vote of the taxpayer who has to put up the dollar. Somehow over the years the connection between defense and the dollar had gotten lost. Nothing was too good or too much for the military, and damn the expense. That was until the Nixon administration proposed a $6.3 billion increase in the defense budget—to a total of $83.4 billion—at a time when a $25 billion deficit was projected. Even the venerable John Stennis blanched at the sight of so much red ink. It was as if the committee suddenly discovered that the founding fathers had a purpose in mind when they gave Congress the power to raise armies and provide for navies, as well as levy taxes.

The awakening comes too late to have any effect on Vietnam. But maybe it's relevant to future Vietnams. In his new book, *The Roots of War*, Richard J. Barnet suggests that two root causes of Vietnam were a national security bureaucracy which came to play by its own rules and the vulnerability of the public and Congress to manipulation on national security issues. The Senate committee may not be completely independent yet, but at least it's no longer totally acquiescent to the national security bureaucracy or intimidated by invocations of national security.

Now if President Nixon can show that military parity is acceptable by entering into a SALT agreement, perhaps the committee can get over its outworn notion that military superiority is still important and really begin to examine the size of the military machine. Why, the next thing you know Congress might even conclude that George McGovern is not being too outlandish when he proposes that the defense budget could be cut by $30 billion.

Note: What can one say about the death of J. Edgar Hoover but *De mortuis, nil nisi bonum*. He first served his country well and then too long. It is a common failing in this city.

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Farewell To Dulles

The world is very different than it was when John Foster Dulles was in flower, and the United States was committed to unleashing Chiang on the mainland, rolling back the Iron Curtain and threatening "massive retaliation." That was a time of intoxication with the illusion of American omnipotence, a time when we thought those who were not for us were bound to be against us. There was a "free world" and a "Communist world" and a troublesome uncommitted world that didn't comprehend the immorality of neutralism. We divided sheep from goats according to whether or not they went our way in the United Nations and elsewhere. Some of the sheep became wolves, as in Greece, but all were nevertheless fed from our abundance, and the best fed were the ones who signed pacts designed by Mr. Dulles. US intelligence operatives were working secretly to bend, bust up or prop up this or that regime. Communism was a dirty word; socialism came a close second; and this grand design had no more ardent defender than Representative, then Senator, then Vice President Richard Nixon.

It is said that only a Republican President with anti-Communist credentials as unassailable as Mr. Nixon's could alter this design and begin to break through the high wall of Cold War containment. We doubt that assumption not because we doubt Mr. Nixon's special influence with patriotic societies preoccupied with the red menace, but because any sane President in 1972 would be led by reason to deal with the world as it is, not as it was; it is reason that instructs a man who's trapped in a dead end to look for a way out. Mr. Nixon's efforts to tranquilize relationships with the two major Communist powers are no less estimable for that, however. His visits to Peking and Moscow and the negotiations that preceded them are the plus in his presidency. He and Henry Kissinger are of course building on the past—SALT came into focus under Lyndon Johnson, and every secretary of state in recent memory, while *out* of office, has advised opening the door to Communist China. But Nixon is doing it and although he will certainly not get all that he would like in Moscow on limiting strategic arms, cooperation in space, US-Soviet trade, or a new approach to European security—the dialogue itself is progress, carrying the message that the world *is* round and finite, and vulnerable in any part to what's done or not done in any other part. Admittedly, our

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hopes have been raised before of a thaw in the Cold War, and been later disappointed. They rose, rather hesitantly, at the end of the Berlin blockade, at the death of Stalin, at the signing of the Limited Test Ban Treaty. But the current mood of optimism has more solid grounding than it had before. It is not Nixon, Brezhnev or Mao who, by force of will, are modifying East-West relationships; they are responding to realities for which they are not entirely responsible. They are, for example, responding to the pressure of the nuclear stalemate itself. In 1946, former Secretary of War Henry Stimson said that Hiroshima and Nagasaki "were final proof that war is death." And that was before the H-bomb and ICBMs. It has taken a quarter of a century for Stimson's truth to work its way into the premises of national policy. Until the Russians had caught up in technology, Washington was not pressed to think very hard about it. But once the Soviet Union also had the means of retaliating massively, nuclear war was not only abhorrent but impossible. And by a curious twist of fate, the stalemate was a liberating force. Russia was no longer imprisoned; the unspeakable weapon became an instrument of security. Each side was constrained by a force neither dared use in a first strike. At the same time, the nuclear standoff diminished the capacity of big powers to impose their order on smaller powers, since limited war raises the risk of genocidal general war. Vietnam, in this perspective, is an aberration, the last gasp of Dullesism. The agony can be prolonged a bit more; the US can again rain bombs on the North; but the South Vietnamese army may decide the issue with its feet.

Negotiation as an alternative to high-risk military confrontation is a by-product also of the rising standard of living in Western, and now Eastern, Europe. With prosperity comes greater self-assurance, which in turn undermines an earlier dependence on Moscow or Washington for security. People travel and trade. Europe is no longer split into two, fear-ridden camps. Bilateralism has been further eroded by a realization that something new has occurred: never in modern times has Europe gone so long without a war. And Soviet military hegemony has not reached any further than the Red Army took it in World War II. Under these circumstances, how could mutual troop withdrawals and revisions in European security arrangements not be thrown open for reexamination?

When the most productive nations choose not to fall in behind either of two captains, the captains can only choose to play a different game. And the rules of the different game are what the current summitry is about. The new game takes into account the vitality of nationalism, to which Poland and Romania are witnesses. It accepts the splintering of the concept and reality of "international Communism" and the emergence of varieties of Marxism (Cuba, Chile, Yugoslavia) that could not have been predicted by Mr. Dulles. It downgrades ideology as a guide to national interest. Thus, while West German Chancellor Willy Brandt has run into political trouble on ratification of his nonaggression treaties with the Soviet Union and Poland, the significant fact is that both the Social Democrats and the Christian Democrats are committed to the policy of an opening to the East, disagreeing largely over details and over who's to get credit for it.

It is not only young people who have started asking whether the threat of Communism justifies an immense American investment in barricades throughout the world against incipient or actual revolts, revolts in some instances against embarrassingly repressive regimes, regimes which on the checkerboard of Cold War diplomacy had been marked down as allies of the "free world." Tied to this new skepticism about the US role as a universal carrier of democratic tidings, there is evident a more sophisticated assessment of the distribution of virtues and vices among nations. Of course the bitter fruit of confrontation in Vietnam is partly responsible for this: who can remember the pumpkin papers of Whittaker Chambers when the Pentagon papers dominated the news? And the lesson of the Pentagon papers is that no considerations of national interest or moral imperative required the United States to designate the Vietcong and Hanoi as an enemy and to move militarily against them.

Finally, the Nixon-Kissinger ventures toward cooperation among the great powers have going for them the experience of the American taxpayer of what the Cold War costs. Leaving aside the US investment in clandestine intrigue and in economic aid to countries professing anti-Communism, there is the mammoth military budget itself. Twenty-five years ago it was $11 billion (or $20 billion in today's dollars). By 1972 it was $75.8 billion. There was no corresponding rise in the well-being of the American people. The public will pay for an adequate defense, but not for an arms build-up far in excess of what is needed to deter an attack, or a defense that leads to more Vietnams.

"Nothing is ever forever in public affairs," the secretary of state observed recently, "and foreign affairs particularly." Competition between nations will not end, nor will the differences among them, but the Cold War is an anachronism. What we are seeing is a return to more traditional forms of diplomacy, based on respect for the limits of national power and deference to restraints imposed by the nuclear age. It does not promise peace in our time—that is as distant as a world of freedom under law. But it portends a more tranquil acceptance of change, sometimes violent change, at least in Asia, Africa and Latin America, changes that in many instances are stimulated by Western industrialization. All varieties of revolutionary activity are loose, and much of it is uncontrollable by the major powers. But the momentum toward an accommodation of interest among the great powers has its own logic, which carries Mr. Nixon to Moscow.

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Mom and Population

In its final report, The (Rockefeller – John D. III) Commission on Population Growth and the American Future last month conceded that after two years of deliberation its members could not agree on a common perspective. Some members see the *population* problem as merely the sum of individual *family planning* problems; others as an example of a general denial of equality of full freedom and opportunity to women and minorities; a third group "deals with the population problem in an ecological framework, one whose primary axiom asserts the functional interdependence of man and his environment. . . ."

It cannot have been easy to hammer out a report from these disparate views. A number of punches are pulled for fear of seeming too strident in the face of apparently declining US birth rates. One staff member commented that the report hardly went beyond what the President had said in his 1969 population message asking for the establishment of the commission. On abortion, however, the commission went a good deal further than the President, recommending public funding of abortion, sex education, and contraception for minors without parental consent. These controversial ideas do not derive from the commission's analysis of population and its impact on the society. The commission was careful to advance a *non-demographic* rationale for each, and to warn that these policies should not be reversed even if at a later date the nation should desire higher birth rates.

Paradoxically, the commission was much more comfortable with policies which it could advocate independently of the population problem: enlarging individual freedom of choice in the sphere of human reproduction seemed much more directly in line with traditional values than the stabilization of population.

Among those items on the agenda which the commission thought would have favorable demographic impacts were the liberation of women, the eradication of poverty and racial discrimination, an improvement in medical knowledge relating to human reproduction, and a rationalization of our attitudes towards sexuality. The most passionate language is aimed at the opponents of sex education: "Some of these groups go so far as to interpret sex education as a politically inspired plot to teach young people how to engage in sexual activity, thereby officially condoning 'immorality' and 'perversion.' We regret that these groups have successfully forestalled sex education programs in 13 states."

Forewarned, spokesmen for the Roman Catholic hierarchy denounced the findings as leading the nation "into an ideological Valley of Death." Family planning, abortion rights, population and environmental groups have rallied to its support, attempting to generate attention on the broad sweep of commission findings, not just the controversial ones.

Relatively noncontroversial recommendations in the report include changes in laws and enforcement of laws relating to illegal aliens, programs in population distribution and metropolitan government, reorganization of the federal bureaucracy to make it more responsive to population issues, improvement in research and statistical efforts, and expansion of education in demographic and population questions in the schools.

Both the commissioners and their staff have discussed setting up a small lobbying group. But they have been unable to agree on what in the report, and in the field of population, is worth getting excited about. This is the major flaw in the report, and may also be the flaw in the population policy it envisages. That policy is based on current trends toward a desire for fewer children. No doubt, in a situation where children are valued in large numbers, but where the needs of society demand certain limits on their numbers, public policies could be devised which would allocate the right to bear children in a way consistent with population stabilization and, at least according to some students of the problem, in a nondiscriminatory way. But none of the major organizations in the field, including the Population Commission, calls for such "allocative" policies. The entire thrust of groups like Planned Parenthood and Zero Population Growth has been, first, to eliminate unwanted fertility and, second, to change the signals which generate the desire for children. Motherhood is not becoming unfashionable; large families are. But the commission pulls back sharply from suggestions that public policy ought to encourage this trend.

The McConnell Decision

The US Supreme Court in April refused to consider an appeal in the publicized case of James Michael McConnell, a homosexual who had been denied a job as a librarian by the University of Minnesota. The decision which the Court let stand by a vote of eight to one (Douglas dissenting) may be interpreted as barring from public employment any person whose conduct is considered too unconventional.

McConnell had accepted an $11,000-a-year job as a cataloging librarian at the university's St. Paul campus. He then publicly applied for a marriage license to wed Jack Baker, a Minnesota law student. Every newspaper and TV station in the Twin Cities carried stories about the two gay liberationists' plans to sue to get the license they were denied. The pending job at the university was not mentioned in news accounts. The Minnesota board of regents thereupon voted unanimously to withdraw the job offer to McConnell, stating that "his personal conduct . . . is not consistent with the best interest of the university." A more accu-

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rate reading of their intent might be: do what you please but don't get in the papers.

The Minnesota Civil Liberties Union, representing McConnell, took the case to court and won the first round. "An homosexual is, after all, a human being," wrote US District Judge Philip Neville in his opinion, adding that the regents had shown no connection between McConnell's sexual or political affinities and his fitness for the library post.

The regents appealed the decision to the eighth US Circuit Court in St. Louis, asserting that they had the right to hire whom they wanted. The professional competence of McConnell, who had a masters degree in library science, was not questioned. It took 13 months for the appeals court to rule for the regents. It based its decision not on McConnell's homosexuality—a circuit court in Washington, DC, had established in 1969 that being gay is insufficient basis for withholding federal employment—but on the grounds that "the applicant seeks employment on his own terms; [he] demands . . . the right to pursue an activist role in implementing his unconventional ideas concerning the societal status to be accorded homosexuals and, thereby, to foist tacit approval of this socially repugnant concept upon his employer." The ACLU sought unsuccessfully to convince the Supreme Court that McConnell had not sought to "foist" anything on anyone; and that the University of Minnesota does not give "tacit approval" to the extracurricular activities of its 11,000 employees merely because it employs them. Eugene McCarthy, visiting his home state last fall called the ruling "nonsense. . . . It's a question of freedom of speech." The *Minneapolis Star* editorialized that the decision "stands for the proposition that the university and other government bodies can refuse to hire, and by the same token can fire, those who 'pursue an activist role in implementing' ideas a bureaucrat brands 'unconventional.' " The university senate has twice asked the regents to reconsider and hire McConnell anyway. The student body elected McConnell's lover, Jack Baker, student body president. The publicity has put both Baker and McConnell in demand for speaking engagements across the Midwest, and Baker is plunging into politics. He was elected a delegate to the state convention of the Democratic-Farmer-Labor Party and is seeking a seat as a delegate to the Democratic National Convention.

Ruled Out

When the Federal Trade Commission adopted a rule to help motorists identify the best gasoline for their cars, it unexpectedly wound up in court fighting for its power to restrain unfair and deceptive trade practices. The commission's rulemaking authority has been challenged in a suit brought by 34 big oil refiners, including Gulf and Esso, and the National Petroleum Refiners Association. The suit also objected to the FTC's regulation requiring posting of specific octane ratings on gasoline pumps. Before the posting rule could go into effect, it was nullified April 4 by US District Court Judge Aubrey Robinson, Jr.; he decided that the commission does not have the authority it has used since 1963 to promulgate trade regulation rules for entire industries.

Octane posting is necessary, the FTC contended, because it is not fair for consumers to pay extra money for a higher octane product than their cars need. The agency also said in some cases gasolines are being marketed as "regular" when their octane ratings are below standard for that grade of fuel. Environmentalists argued that high-octane gas produces poisonous lead emissions from cars. The refiners replied they were denied full cross-examination rights during FTC hearings on the octane posting rule.

FTC Chairman Miles W. Kirkpatrick told the antitrust section of the American Bar Association the court action "has dealt a severe blow" to the agency's efforts to protect consumers and maintain fair competition. The Robinson finding is almost sure to delay adoption of pending consumer-oriented regulations. The FTC is appealing the decision, but William Dixon of the agency's Bureau of Consumer Protection says final resolution of the case could be "a minimum of two or three years away." Meantime, the commission must formulate an interim policy.

The FTC attacks unfair and deceptive business practices by filing complaints against violators and, increasingly, by using trade rules which establish allowable future behavior for industries. Without the power to issue and enforce these rules, the agency can act against violators only on a case-by-case basis. Commission officials criticize this approach as the most expensive and time-consuming way of dealing with complicated economic problems. But former FTC attorney Mark Silbergeld, now with Ralph Nader's Public Interest Research Group, suggests that the agency can make the individual case approach work in its favor by issuing complaints against a few companies. Put at a competitive disadvantage, these firms might support the agency's authority to set rules.

While the FTC's trade regulation powers are in limbo, Dixon suggests there's a possibility the commission could pick up "the old toy of guidelines" and give them the force of rules. Traditionally, the FTC has offered guidelines to industry as interpretations of laws under its jurisdiction. The best solution to the FTC's dilemma could be consumer warranty bills waiting in the congressional wings. But only the House version, which the FTC favors, would confirm its authority to make trade rules. Meanwhile, the commission's Bill Dixon wryly asks, "Have you heard of any jobs for old, unemployed rulemakers?"

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Even in Ohio

Columbus

The message from the industrial heartland is dig in for the long haul, don't discount the possibility of a deadlock at Miami Beach in July, look out for party polarization, pay close attention to the delegate numbers game in the weeks ahead. In short, it's far from over. These are the only conclusions which can be drawn from Humphrey's encounter last Tuesday with the so-called "protest" candidates, which yielded him a modest win over Wallace in Indiana and left him locked in a nip and tuck fight with McGovern in Ohio. With Humphrey and McGovern emerging as equals in the race and Wallace in a position to strangle the convention, there's a real danger that lines will be drawn even more sharply than they were in 1968, reducing the convention to a shambles helpful to the Republicans.

The failure of Humphrey to score decisively in Ohio and Indiana underlines the limitations of his candidacy. His "progressive center," as he calls it, was to be built on massive support from black and labor constituencies, managed by the party organization and its allies in labor and the minority community and funded from traditional sources. But in Indiana and Ohio it didn't work well. There were defections in working-class precincts; without the "trust" black voters hold for him and the aversion of upper-income voters to Wallace, it would have been a disaster for Humphrey.

There's no way to rationalize Humphrey's showing in these two heavily industrialized states. Neither has the progressive or reform tradition of Wisconsin, which probably contributed to McGovern's showing there. Nor is either state a hotbed of antiwar sentiment, as Massachusetts has been for several years. Indiana is a hotbed of patronage-fed, organization politics, while Ohio's Democratic party is a patchwork of ethnic fiefdoms. But the organization couldn't be activated enough in Indiana to give the party's 1968 nominee the kind of smashing victory he needed, nor, outside the black community, could the ethnic chieftains and their labor allies in Ohio deliver their fiefdoms. There is even less excuse with Muskie out of the race. Through the early months of intra-party maneuvering, Muskie was Humphrey's only competition for support from the leaders of that "progressive center."

So the question must be raised: what can Humphrey bring to the party in the fall? Ohio and Indiana tell us he's vulnerable where he should be strongest, that the men who will go to Miami Beach intent on nominating him can't deliver their vote (in Indiana, for instance, Wallace split the white vote down the middle). The new elements coming to the fore in the Democratic party—youth, suburbanites, activist of every description—prefer his chief competitor.

Only one thing need be said about Wallace's Indiana showing. It's alarming. Not only did he pick up 22 delegates, including those from Lake County's first district but also those from the third district (South Bend), represented in Congress by one of the leading moderates in that body—Rep. John Brademas (D). To accomplish this, Wallace polled some 51 percent of the blue-collar vote; they're obviously not following the advice of their union leaders. There's one redeeming factor, however—the 22 will be free to switch after the first ballot. Because this is also true in Tennessee, where Wallace is expected to get most of the delegation for two ballots but not necessarily thereafter, his influence on platform and his chances of finagling a protracted deadlock may be diminished.

Now McGovern. His showing in Ohio was impressive although a hair short of the triumph his managers secretly hoped for in the closing days. McGovern hadn't planned a major effort in the state although his supporters put together a full slate. But as Muskie's campaign fell apart, McGovern's troops started to show real interest. Less than two weeks before the primary, a man was sent to Cleveland to coordinate the campaign (Carl Wagner, who handled McGovern's upset victory on Milwaukee's South Side). A week before the election, the Massachusetts campaign crew came in. Money was raised for a media campaign.

McGovern's major problem in Ohio was time or, as Wagner put it, "communication and name identification." It takes organization to identify supporters and pull them out, reach hundreds of thousands of voters in the dozens of industrial concentrations with literature or broadcasts. Over a cup of coffee the Saturday afternoon before the election, Wagner said ruefully: "I just wish we had another week." In the end, Wagner didn't need more time to capture three of four Cuyahoga County districts for his man, the three populated by whites—ethnic, blue-collar voters, affluent suburbanites, the solid middle class. He lost only the heavily black 21st to Humphrey.

In the time they had, McGovern's workers discovered some interesting things. With Vietnam back on the front pages, Wagner's volunteers were reporting that the working class is intensely antiwar. "The graveyards of Cleveland are full of the sons of the working class," as Wagner put it. They found Wallace voters receptive to voting for McGovern as "the other protest candidate," once it was explained Wallace wasn't on the ballot. The character of McGovern's support showed up in the volunteers. They were young but more apt to go to night school at Cleveland State or Cuyahoga Community College than to be living in a dormitory at Case Western Reserve. They were secretaries from working-class families or young men who were unemployed.

During the last week of the Ohio campaign, McGovern organizers found they could fill large halls with thousands of enthusiastic young people on 24 hours

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notice and with a minimum of advance publicity. McGovern is now careful to avoid the campuses, but his youthful devotees followed him into union halls in throngs. Listening to their screams, one had to conclude he could have stood on his head and read the telephone book and they would have cheered. If the "old guard" is able to pull itself together enough to deny McGovern the nomination, what will be the impact on these youngsters?

There were other shifts. In suburban Cleveland the Jewish vote went strongly to McGovern. Dr. Edgar Berman, Humphrey's resident campaign physician, blamed it on the young people in the Jewish community who, he explained, "are influencing their parents." But the momentum building behind McGovern's candidacy, fueled in any suburban community by Vietnam, had to play a key role. It helped McGovern roll up a substantial margin in Rep. Charles Vanik's 22nd district. Both Vanik and Howard Metzenbaum, a popular figure in the Jewish community, came out for McGovern in the closing days.

There are still holes in McGovern's coalition. He hasn't been able to win over much of the black community, and that's a major electoral problem as he heads for a California showdown with HHH. In the Ohio primary, McGovern's managers made a stab at plugging the hole by bringing into Cleveland a group of well-known black leaders led by John Conyers of Michigan to advertise the support he's getting from such influential blacks as Jesse Jackson and Julian Bond. But there were no prominent Cleveland blacks in the group and it brought a strong rebuke from Ohio's Louis Stokes. Speaking in a black church in Cleveland with Humphrey seated next to him, Stokes accused Conyers of "playing games with my people" by backing McGovern in Ohio and Shirley Chisholm in Michigan and said "what I resented was that one of my colleagues came in and said black people are going to elect McGovern." Humphrey was praised as a "man who has a 35-year civil rights record." Humphrey told the same black congregation that "I was there when you needed me. Now *I need you.*" His voice was tinged with emotion.

McGovern knows he may have to have a share of the black and Chicano vote in California to win there, especially with California polls showing some backlash among workers in defense plants over McGovern's pledge to cut defense spending. He's hoping for some help from Ethel Kennedy in Watts and in East Los Angeles. It was the minority vote, cast almost solidly, that saved the Kennedy slate by a few percentage points in the 1968 primary. November's another matter. Any Democrat except Wallace will doubtless get their votes.

Borrowing from the terminology of his opponents, McGovern now talks of building a new "centrist" coalition of students, housewives, workers, minorities. He has directed major attention toward working-class voters since the primary season began in New Hampshire, having built his base among the activists of the "new politics" during the long, hard months when the press and the politicians were ignoring him. His success in Massachusetts and Ohio against candidates identified with the established political structure has been astounding to those who put him down as a bland, ineffective campaigner.

In Ohio, Jackson threw the book at him. He wrung his hands over McGovern's stand for legalized abortion and amnesty and falsely accused him of favoring legalized marijuana. He cringed over McGovern's plan to cut over $30 billion from the defense budget and dug into McGovern's early background to report he campaigned for Henry A. Wallace in 1948. It was a sad performance. The assault brought Jackson some impressive backing from prominent ethnic politicians (particularly in the Slovenian community). The county attorney and eight city councilmen (three of them Slovenians) endorsed him. But lacking the funds to air his charges on radio and TV and without an organization, Jackson became a tragic figure in the last days of the campaign, calling one press conference after another to repeat his charges. He hoped for 15 percent of the vote; he got barely half that and joined Muskie in the "inactive" status.

The word in the Humphrey camp is that the former Vice President, convinced that the deep divisions in the party in 1968 contributed substantially to his defeat, is determined not to do anything that will cause a similar split in 1972. He wants the Democratic party to leave Miami Beach united and he'll throw himself into the fight regardless of who the nominee is. In Ohio, he brought up amnesty in a gentler way than Jackson, but a close examination showed his position and Jackson's to be very close.

Humphrey is in the unenviable position of having to cope with Wallace in another doubleheader on May 16—in Maryland, which McGovern is skipping; and Michigan, where McGovern's polls show such a sharp polarization on the busing issue he may downplay the state. Perhaps the key battle in the next six weeks will take place in the convention states where Humphrey picked up huge blocs of delegates in 1968. That's where he won the nomination. This year, McGovern has shown unexpected strength in such caucus states as Arizona, Idaho, Kansas, North Dakota, Nevada and Virginia and looks good in a number of others—including Colorado, Utah and Montana.

For McGovern, the timing is perfect in the convention states. He is well-organized in each of them, whereas the Humphrey organization took a calculated gamble it may come to regret. It didn't move into these states. It was expected that George Meany and his errand boy Al Barkan, in concert with some of the party regulars, would delivery large blocs of uncommitted delegates which could later be claimed for Humphrey. That hasn't happened. McGovern has been getting

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more than his share rather consistently, eroding the traditional source of power of the established party organization at conventions.

Prior to the Ohio primary, McGovern strategists were projecting 1150 first-ballot votes without counting any defections from the Muskie lists in states such as Arizona, Iowa and New Hampshire. It projects primary wins in California, Oregon, Nebraska and New York. After Ohio and a couple of good showings in state conventions (such as Nevada), it is safe to raise the figure to 1200. With the help of a large bloc of uncommitted southern delegates loyal to their governors, Humphrey could probably match this, barring debacles in Michigan and Maryland. For a time, this would leave Wallace with the balance of power.

Paul R. Wieck

The Nixon Watch

White House Nerves

Here is the recent record of how the President got himself where he was last week, facing the defeat in Vietnam that he was still saying he'd never accept.

On March 23, Ambassador William J. Porter told the North Vietnamese and Vietcong negotiators in Paris that the US was suspending the abortive peace talks until it had "some sign from you that you are disposed to engage in meaningful exchanges." Mr. Nixon said in Washington the next day that "this has been done under my direction" because "we are not going to continue to allow them to use this forum for the purpose of bullyragging the United States in a propaganda forum rather than in seriously negotiating peace." He also said, "I am not saying that this move is going to bring a negotiation. I do say, however, that it was necessary to do something to get the talks off dead center" and added, "When they are ready, we are ready." The President didn't mention and the press generally overlooked a reference in Ambassador Porter's Paris statement to "road-building activities clearly designed for offensive purposes" in the Demilitarized Zone which separates North and South Vietnam.

The North Vietnamese army moved across the DMZ into South Vietnam with infantry, tanks and artillery on March 30 and 31. Through the following week, Nixon spokesmen denounced this "naked attack" and "massive invasion" and repeatedly indicated that the US would not resume open or secret peace talks so long as the offensive continued. Then it developed that on April 1, the day the scale of the North Vietnamese attack first became apparent, the President secretly offered to resume the Paris sessions on April 6. The North Vietnamese in Paris said, and events confirmed, that within two or three days after making the offer the President withdrew it. Feeble evasions amounted to an admission that he had offered to resume negotiations upon condition that the North Vietnamese halt their offensive and pull back across the DMZ.

In Paris and Hanoi, North Vietnamese officials and spokesmen said almost daily that they were ready and anxious to resume negotiation whenever Mr. Nixon was. In Washington, two lines of thought were publicly and privately encouraged. One was that the enemy offensive, by then spreading from the northern provinces of South Vietnam to other parts of the country, could not be sustained very long under renewed and escalated American air and naval attack. The other line of encouraged speculation was that the North Vietnamese were lavishly and foolishly spending their resources in a gamble aimed at positioning themselves to negotiate a favorable settlement. In this sense, the enemy show of strength was said to be a welcomed prelude to the "serious negotiation" that the President and his adviser, Henry Kissinger, had hoped to bring about with the abrupt suspension of the Paris talks in March.

The President ordered the bombing of Haiphong harbor and the outskirts of Hanoi on April 16. Four Soviet ships were hit and (it later became known) one was sunk. On April 18, the day the President greeted a Communist Chinese table tennis team at the White House, Henry Kissinger canceled his afternoon appointments and vanished. On the following Tuesday, one week later, he reappeared at the White House and Press Secretary Ronald Ziegler announced that the US had agreed to resume the plenary peace talks in Paris, stipulating that "the first item of business in these talks must be the discussion of measures which will put an end to the flagrant North Vietnamese invasion of South Vietnam." Kissinger, it was also announced, had been secretly in Moscow from Thursday the 20th to Monday the 24th, conferring with Party Chairman Leonid Brezhnev and Foreign Minister Andrei Gromyko. Kissinger said that he had not gone to Moscow "to save" the President's scheduled summit conference there in late May, but to enhance the chances of successful talks and felt that his visit had given them "additional impetus." During three press appearances in two days, he refused to say while clearly implying that Brezhnev and Gromyko had encouraged him to believe that useful negotiations with the North Vietnamese would now be possible. Kissinger said that "we have this expectation" and should know before the President arrives in Moscow on May 22 "whether we are talking [with the North Vietnamese] in terms of propositions which make a settlement possible." He also said that "it is our position" that the North Vietnamese must withdraw from South Vietnam the forces that had recently crossed the DMZ, but he stopped

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short of making this a condition to the resumption of either plenary talks or secret negotiations of the kind that he had conducted with Le Duc Tho, a senior Hanoi minister, from August of 1969 to last September. Kissinger noted press reports that Tho was about to go from Hanoi to Paris and remarked that "he does not generally return for trivial reasons." The effect was to promote the supposition that Kissinger would soon and again be in negotiation with Tho, privately and apart from the plenary Paris sessions.

Mr. Nixon strengthened the supposition when he said, in the course of announcing his intention to withdraw another 20,000 American troops from South Vietnam by July 1: "We are resuming the Paris talks with the firm expectation that productive talks leading to rapid progress will follow through all available channels." In the rest of his speech, televised the night of the 26th, he talked as if he were inviting the North Vietnamese *not* to negotiate. His renewed bombings of North Vietnam would continue "until the invasion stops." Letting the North Vietnamese have their way in South Vietnam would be to destroy "the respect that is essential" for "the President of the United States" and "to deny peace the chance that peace deserves to have." And: "This we shall never do." At a Sunday assemblage of Texas wealth and power on Treasury Secretary John B. Connally's ranch near San Antonio, the President repeated and amplified these bombastics, with emphasis upon his resolve to tear North Vietnam to shreds if that were necessary to "do the job."

Tho arrived in Paris, after stops in Peking and Moscow, on April 30. An airport statement repeated in essence the North Vietnamese terms that in the President's judgment had always called for surrender of South Vietnam to the Communists. But Tho did it in pacific language. In spirit though not in substance, he seemed to echo Kissinger's similarly hopeful and conciliatory tone and to be telling the President's adviser that the "expectation" of substantive negotiation was justified. Secretary of State William P. Rogers said on "Meet the Press" that Tho's statement was "no way to negotiate a settlement" and a State Department spokesman said it was "a disappointment." Kissinger vanished briefly on May 1 and 2, then turned up again with the President on a night cruise down the Potomac, and his staff indicated that he was at the White House on May 3. The first of the resumed plenary sessions in Paris produced nothing but renewed and mutual vilification. The disintegration of South Vietnam's military forces in the northern provinces became so obvious and proceeded so far that a Defense Department spokesman had to acknowledge that the situation was "serious." The President, who had said in Texas that the North Vietnamese "can make their own choice" between halting their attacks and exposing themselves to more "strikes on military targets throughout North Vietnam," had a choice of his own to make. It was whether to negotiate at once for whatever he could save from the wreckage of Vietnamization, or again to escalate and rely upon the bombing that has always failed to "do the job" in Indo-China.

John Osborne

Without a Doubt

Kleindienst

by Eliot Marshall

Richard G. Kleindienst, more than any other person in the recent Senate Judiciary hearings on the ITT affair, laid the trap that nearly bled him to death. He was the one who asked to have the hearings on his nomination to be attorney general reopened on March 2, a week after the committee had recommended him unanimously for Senate approval. This epitomizes all that went wrong with his handling of the affair. He returned to the committee feverish with moral outrage, prepared to give a short account of his role in the ITT negotiations, hoping that a quick self-justification would dispel any thought that he had "engaged in any improper conduct." He was not prepared to go into details, and even after the committee made clear that he would have to, he still could not or would not fill in wide gaps in his story. This failure, which he never fully acknowledged, annoyed the Democrats on the committee, particularly because Kleindienst's self-

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assurance never faltered. His deeper mistake was not knowing this would annoy the committee and not realizing that his own moral vindication could not sanctify ITT's motives or absolve the Justice Department of wrongdoing.

Kleindienst testified that he had not been told anything about the Republican convention or ITT's pledge to San Diego, something between $100,000 and $600,000. No one has contradicted this. What has been questioned is his description of the ITT antitrust settlement as having been "handled and negotiated exclusively by Assistant Attorney General Richard W. McLaren." That's what Kleindienst wrote to the chairman of the Democratic National Committee in December 1971, in response to a query as to whether the administration had meddled in McLaren's prosecution of the case, perhaps to repay the favor of ITT's pledge. The unambiguity of Kleindienst's denial is characteristic. This tendency to absolute statement often drove him during the hearings to claim either complete responsibility or complete ignorance of the details in the ITT affair. The attitude was inappropriate to an inquiry into the subtleties of antitrust law and ITT's discreet maneuverings to block the government's case.

What Kleindienst didn't grasp at the time, and still won't accept, is that ITT was capable of using him for its own ends, and through him of bringing its influence to bear on McLaren. Kleindienst first learned of the ITT case in 1969 when McLaren sent a memo to the attorney general—who forwarded it to Kleindienst—recommending a suit to prevent ITT from acquiring the Canteen Corp. Kleindienst didn't respond to it, and, as a result, the merger was not blocked. Later that year, however, McLaren notified Kleindienst that he intended to file suit anyway, after the fact. When the legal complaints against ITT's mergers with the Canteen, Grinnell and Hartford corporations were ready, Kleindienst signed them. Several times between the filing of the complaints in 1969 and the beginning of 1971, ITT sought out McLaren, but found him uncompromising and unconvinced. Then in the late spring of 1971, Kleindienst's neighbor John Ryan, an employee of ITT, asked Kleindienst whether he would be willing to listen to a new argument against the Justice case. Kleindienst said he would.

Not long afterwards, in the week before April 20, 1971, two ITT representatives got through to Kleindienst: an "outside counsel," Lawrence Walsh, from New York and an ITT director, Felix Rohatyn, from Washington. Walsh spoke to Kleindienst on the phone and immediately sent him a hand-delivered letter asking the government to undertake a general review of its antitrust policy. About the same time, Rohatyn came to see Kleindienst in his office and left with him a carefully reasoned argument against the government's ITT case, based on the alleged harm it would do the economy. Both papers were given to McLaren.

The economy was a sensitive matter in those days before the wage and price controls, and Kleindienst was persuaded or, as he said, "impressed" with Rohatyn's evidence. The reason ITT made such a strong push just then was that the Justice Department was due to file the first of several ITT suits before the Supreme Court on April 20. If this process were to go forward, it would be difficult to halt, and the legal precedents resulting from it would reach far beyond ITT's immediate worries. On April 19, the day before the case was to be filed, Kleindienst talked with McLaren and persuaded him to consent to a delay in filing. That same day, Kleindienst, with McLaren at his side, called Solicitor General Erwin Griswold to his office and asked him to delay the suit. Griswold agreed, but grudgingly, because this action usually requires 10 days' notice—a rule he didn't often break. The cases never reached the Supreme Court.

The rest of the story is fairly well known. McLaren, Kleindienst and other Justice lawyers met with ITT's agents on April 29 and listened to their "financial hardship" plea. Negotiations began, and after three months McLaren and ITT agreed to have the conglomerate dump some of its major subsidiaries, but not its largest, the Hartford Insurance Company. In its general aspect, the settlement was the same one ITT proposed in late 1970, which McLaren had rejected.

Testifying before the Judiciary Committee, Kleindienst was as firm in denying responsibility for changing McLaren's mind as he had been in the letter to the Democratic national chairman. In his eagerness to vindicate himself, Kleindienst made some emphatic statements that later proved inaccurate; he could account for the discrepancies only by attributing them to faulty memory, his heavy workload, the routineness of the events and the insignificance of all that he was being asked to discuss before the committee. During the first day of hearings, for example, he said that McLaren and Rohatyn, who sat on either side of him, were "the two persons with whom I had any dealings in connection with these matters." And another time he said he did not talk to anyone at the White House about the ITT case, and specifically that he had not spoken to White House aide Peter Flanigan. Flanigan later told the committee that he had spoken to Kleindienst and even received a call or two from him about a financial study made for the ITT case. Similarly, Kleindienst didn't mention his request for a delay in filing the Supreme Court brief, nor his communication with ITT's New York lawyer, Lawrence Welsh, until Senator Kennedy brought the information out.

These lapses did not please some of the Democratic committee members, considering that Kleindienst had a reputation for being meticulous and efficient. More than this, they were put out by his stubborn assertiveness and his refusal to doubt ITT's motives in coming to him personally—rather than to McLaren—only days before the Supreme Court deadline, with a freshly dis-

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covered "financial hardship" case. In another matter, Kleindienst hadn't shown any reluctance to judge motives. During the first set of hearings, before ITT had come up, Kleindienst was asked to give his thoughts on the Mayday demonstrations of 1971 and the use of mass arrests. He said he felt the operation had gone well, and would have run even smoother had he known that so many people would join the mob of "vandals." Those who spent the night in crowded or unsanitary jails got pretty much what they deserved.

In his last day of testimony, April 27, Kleindienst reaffirmed what he had done throughout, saying that if the circumstances were the same today, he would make the same decisions he made on ITT in 1971. This impenitent attitude, probably as much as his mishandling of details, irked the committee and brought the four votes against him from Senators Bayh, Burdick, Kennedy and Tunney. They took their opposition to the Senate floor, but there was little chance they would defeat the nomination.

The Solution Won't Come from Yale or Harvard

Taiwan as a Chinese Problem

by John K. Fairbank

In the joint Shanghai communiqué of February 27, Mr. Nixon tried to remove the United States from the Taiwan question, but it is surfacing again as a new thorn in the American liberal conscience. The communiqué said "the United States acknowledges that all Chinese on either side of the Taiwan strait maintain there is but one China and that Taiwan is a part of China." But now the phrase "all Chinese" is decried as an unfair brush-off of the Taiwan independence movement. My close comrade-in-arms, Professor Edwin O. Reischauer (*The New York Times*, March 20) has prudently noted that "no one can speak with certainty about what is in the minds of the Taiwanese." But, he then continued, "as best one can judge, the vast majority of them appear to yearn for a separate Taiwan from China and a government they themselves control." *The Times* pushed his argument a bit further with the caption, "What the Taiwanese Really Feel."

Farther along the spectrum and with less objectivity, a *New Republic* article of April 1 by Michael Reisman, who teaches law at Yale, is headed, "Who Owns Taiwan? Neither Mao nor Chiang." Mr. Reisman examines the diplomatic and legal record and finds that China "has a very doubtful legal claim to the island state." He tells us that by the 18th century a distinctive Taiwanese identity had developed, and that it is doubtful that the Ch'ing dynasty controlled the island enough to establish title to it in international law. So tenuous is Mr. Reisman's research on the history of Taiwan that he has the unwitting effrontery to offer, without citing his source, the alleged testimony of Li Hung-chang (downgrading the "Land of the Brown Robbers" as a "vile spot," etc.) which any knowledgeable graduate student can identify from its spurious tone as culled from the notorious Mannix whole-cloth forgery of 1913 (see page 262 of *Memoirs of Li Hung Chang* edited by William Francis Mannix with an introduction by Hon. John W. Foster, Boston and New York: Houghton-Mifflin Co., 1913). Nevertheless, by virtue of the authority claimed by international lawyers, Mr. Reisman concludes that "China cannot legally claim Taiwan or the Taiwanese."

At the end of the spectrum is an advertisement in *The New Republic* of April 8 from the *National Review:* "The time has come for the government of Taiwan to secede from China . . . Taiwan has governed itself for 23 years, disturbing not world peace, indeed earning the admiration of all who have come to know it." Here the Nationalist China of Chiang Kai-shek has been deserted, and "Taiwan" taken its place as an anti-Communist bastion.

Let us note a curious fact: In Eastern Europe the Czechs are a proud and deserving people with a long history as an independent state which goes back to the kings of Bohemia and John Hus in 1300. The Czechs currently are grievously subjugated by Soviet Russia in a most flagrant denial of self-determination, yet we Americans do nothing about it. Why not? Because self-

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determination for Czechoslovakia could be secured only through war with the Soviet Union.

Evidently, self-determination is not the only principle governing our international relations, and the denial of it in Taiwan is by no means the most serious case of denial that confronts us in the world. We have acquiesced for 26 years in the Nationalist domination of Taiwan, not exactly an exercise of self-determination. Why should we now suddenly rush to the rescue?

Without denying the undoubted value of international law whenever it can be made effective, should we not base our policy also on more than legal considerations? If we note that the American public have in time past gone to war partly to defend foreign peoples against invasion and tyranny, whether in Belgium in 1914, South Korea in 1950, or South Vietnam in 1965, would it not be wise to pause and consider this question in all its bearings before we take on the self-determination of Taiwan as a national goal? The projection of our own emotions and ideals has taken many forms in the outer world but not always with success. Each case, after all, is very different from the others, and before we reason from analogy or precedent, we should try to get the facts straight.

Looked at historically, the current American attempt to disengage from the East Asian mainland, if that is indeed what we are trying to do, would bring to a close a century and a half of increasing intervention there. The rise and decline of Western expansion in this area has no doubt roughly reflected the comparative superiority of fire power of the states that have intervened there. Thus the British in the time of the Opium War intervened with gunboats and imposed an unequal treaty system of special privilege as the most effective way of opening China to Western contact and enterprise. The treaty system lasted from 1842 to 1943, by which time the United States had taken the place of Britain as the major Western power involved. Today, the non-success of our Vietnam intervention in the cause of self-determination has combined with other factors to put us in a mood for pulling back, even though in the late twentieth century we must no doubt still participate in some kind of international security arrangements in the western Pacific. Mr. Nixon's opening toward China may be seen as an attempt to work out realistic great power relations in this area, where China is a nuclear power and will no doubt grow stronger.

To speak of "power" as the arbiter of international affairs is of course meaningless unless one includes in the picture the moral, psychological, and spiritual elements that move peoples to action. The argument for our going slow on the question of Taiwan's self-determination rests on three considerations concerning respectively China, the people of Taiwan, and the United States.

Mainland China confronts us with a phenomenon never met before: 800 million people under one government, acknowledging one sovereignty, accepting the mandate of Peking as the capital of the state. This is probably the single most important phenomenon of modern politics. What holds this vast mass of people together, in an area older and bigger than all of fragmented Europe? The external menaces seem far from sufficient. The internal coercions seem far from adequate. We can only conclude that these 800 million are animated by an ethos or spirit of nationalism, a sense of community or indeed of Chineseness. To call this "nationalism," using the word derived from the political divisions which arose in Europe within the culture of Christendom, is of course a terminological travesty. Judged by results, this seems to be a force much stronger than European nationalism. It combines not only the political loyalties of the people within a region but also their entire sense of culture, society, and history. The modern Chinese nation is the same as Chinese civilization, or very nearly so. The fact that this cohesive force has not been manifested in great foreign expansion is fortunate for us, but this does not lessen its power at home. Every recent traveler to China has stressed the sense of togetherness, the inward-looking concern for the Chinese realm, the pride in its achievements. In thinking about Taiwan it is surely the beginning of wisdom to note the unanimity with which Chinese leaders in power, both there and on the mainland, have laid claim to Taiwan as part of this Chinese realm. In short, the Chinese people seem to have a sense of nationalism at least as powerful as the patriotism that defended Britain against the Nazis or animated the Russians in World War II, and this Chinese feeling seems to be fairly well fixed on the idea that Taiwan is Chinese by history, culture, language, "race," and other criteria.

As to the feelings of the Taiwanese-Chinese people themselves, we are woefully in the dark. If the American embassy in Taipei has any real idea of popular sentiment, certainly no evidence from the scene has been vouchsafed to the American public. The following facts are worth considering: Under the Ch'ing dynasty after 1683, Taiwan was made a prefecture of the province of Fukien. Its political age is about like that of the 13 colonies in this country, not old for China but old enough on a world scale. Taiwan was made an independent province in 1885. For a couple of centuries, Chinese officials were dispatched from the mainland to govern the island. They dealt with its rebellions, and dealt also with foreign traders throughout the 18th and early 19th centuries. No one who knows any history will deny that the writ of Peking ran on the island down to 1895.

The 50 years of Japanese rule from 1895 to 1945 of course produced a generation that had little memory of Chinese rule and did have a considerable bicultural experience as Japanese colonials. The common language continued to be the Fukien dialect of Chinese,

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but many people learned Japanese too and a fortunate few were educated in Japan. From this group emerged a few leaders who early represented the idea of an independent Taiwan. Outraged at the callous and brutal treatment given the Taiwanese-Chinese by the Nationalist government after 1945, these leaders became true patriots for Formosan independence. But the question remains, how many are they? And what do they represent in popular feeling? Their kind of bicultural individual who speaks both Chinese and Japanese is no longer being produced by the historical circumstances. Were these leaders a single generation cast up by history?

As to the political sentiments of the 12 or 13 million Taiwanese-Chinese today, we know of their many resentments against the mainlander Chinese of the Nationalist regime. What we do not know is the degree of their pride in the achievements of the People's Republic across the water, or the depth of their consciousness as being themselves Chinese, part of that great realm. The idea of self-determination is much more a product of European-American experience than it is of the Chinese tradition. It remains a question whether the Chinese on Taiwan, even when most disgruntled with the present regime and most anti-Communist in their political views, are not at the same time quite ambivalent, inclined to acknowledge the grandeur of the Chinese realm under Mao, and less inclined perhaps than we would think to cut themselves off from it. Taiwan is certainly no Czechoslovakia. It has not been a separate kingdom in the past, with its own rulers, language, and culture. Rather it has been a Chinese frontier region, detached only in times of central weakness.

Another factor within Taiwan will be the degree to which a pro-Communist social-political movement may now develop, convinced of the grandeur and efficacy of the Maoist way, even for Taiwan. The energetic self-confidence now reported on the mainland may prove highly infectious and give the political scene on Taiwan a different hue. We can hardly prejudge this obscure situation.

From the point of view of the United States, once we have given up confrontation and containment as a militant posture defying the continued existence of the Maoist regime, we are presumably interested in maintaining equable relations or at least avoiding warfare with the People's Republic. In the Shanghai communiqué we reaffirmed our "interest in a peaceful settlement of the Taiwan question by the Chinese themselves. With this prospect in mind, [the United States] affirms the ultimate objective of the withdrawal of all US forces and military installations from Taiwan. In the meantime, it will progressively reduce its forces and military installations on Taiwan as the tension in the area diminishes."

This amounts to an effort to get out of the middle in the Chinese civil war and let it die away. It does not necessarily sell Chiang Kai-shek or his regime or the people of Taiwan down the river since they are still in a position to negotiate with the mainland from a position of some strength. We should know by this time that the way of the mediator is hard. Any reintervention by the United States to demand an exercise in self-determination by such means as a plebiscite in Taiwan is likely to bring the weight of Chinese patriotic feeling down upon us. We have tried to say that we outsiders cannot settle the Taiwan question. Let us cling to this way out and avoid getting back into the crossfire. As a matter of practical politics, the one thing that could energize Chinese anti-foreignism and a sense of Taiwan's unity with the mainland even among the Taiwanese-Chinese population might well be an American reintervention to settle their fate. Legal considerations bulk rather small compared with the moral, spiritual, and psychological claims exerted by 800 million Chinese upon the 15 million who are a hundred miles off shore. The pressures of sentiment involved are enormous and of the same nature as those that we invoke in the name of self-determination: what do the people concerned want?

The weakness of an interventionist position is at once evident if we note how Peking's propaganda has stigmatized the Taiwan independence movement as a catspaw of foreign interests—Japanese or American. When we express a concern for self-determination, we constitute indeed a foreign interest. Our expression of concern may represent our highest ideals and humanitarianism, but it is easily turned against us and may arouse in Chinese patriots of all camps a greater degree of xenophobic cohesiveness against alleged Western imperialism.

Assuming that we have the wit to stay out of the question of Taiwan's future and can avoid projecting our own tradition of self-determination upon a different cultural scheme, we still cannot wash our hands of the matter. Until some successor situation has been worked out among the Chinese parties in some fashion, there is a strong moral argument against our renouncing the mutual security treaty of 1954; to do so before that time would undoubtedly produce insecurity, uncertainty, and trouble. The existence of the treaty is a sort of guarantee that the Chinese arrangements concerning Taiwan will not be made by force. Yet we have an interest in seeing that some arrangements are in fact made and that they lead to a successor situation in which Taiwan's relation to the mainland is practically defined.

Here we have an opportunity to use our heads and take account of history. One fact is that central sovereignty clearly enunciated and locally accepted is not incompatible with a degree of local autonomy in government within the Chinese realm. Do not go to the lawyers to get an understanding of this. The definitions of international law stemming from the Euro-

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pean mind and interstate relations are not a magic touchstone to Chinese affairs and arrangements. If we can keep the lawyers from trying to apply their blueprints, we may look forward to a situation where Taiwan is no threat to Peking and is usefully related to Peking in a way satisfactory to the bulk of the people on Taiwan. Let us not look to the past for our entire repertoire of international arrangements. The Puerto Rican anomaly in American constitutional life should give us hope. Hong Kong is another example of an anomalous situation that works. The fact is that Taiwan seems destined to look to the continent politically but to look to the outside world economically. The eventual arrangements will be thoroughly Chinese, and neither Yale nor even Harvard professors are likely to have the answer.

Not for Sale

An Equal Chance to Learn

by S. Francis Overlan

"Affluent school districts can have their cake and eat it too: they can provide a high quality education for their children while paying lower taxes. Poor districts, by contrast, have no cake at all."

This *obiter dictum* from the *Serrano* decision of the California Supreme Court displays justifiable anger at educational inequity. Like its progeny in Minnesota and Texas courts, the California decision has been heralded by some educators as "in a class with the *Brown* decision"—a giant step toward equality of educational opportunity. Under the current California, Minnesota and Texas systems of school finance—much like those of all other states except Hawaii—the poor strive harder to accomplish less. Insofar as these recent decisions will equalize *tax burdens*, they deserve the wide support they have received. But these court rulings are not in a class with *Brown;* they will not bring about equal educational opportunities within their states.

If one seeks to liken the significance of these state reform decisions to any of the US Supreme Court, the *Plessy* decision is the more apt comparison. Through *Plessy*, the Court ruled that schools for blacks and whites could be equalized by the equitable distribution of such "tangible" factors as buildings, curricula, and salaries of teachers. The California, Minnesota and Texas decisions take a similarly mechanistic view—one self-consciously denied by the *Brown* decision.

Receding to an even earlier view than that of *Plessy*, the recent court decisions assume, 1) that equalization of finances will result in the equalization of purchasable educational resources. Like *Plessy*, they assume 2) that equalization of purchasable educational resources will result in equality of educational opportunity. Both assumptions are doubtful.

The first assumption—that equal money will buy equal educational resources—suggests that, if given the same dollars per child, the schools of Newton, Massachusetts and of Cairo, Illinois would spend these dollars for the same things. I do not believe they would. Like brothers of different aptitudes and tastes, different school boards spend dollars differently. Dollars for education are spent differently in neighboring school systems, in neighboring schools within the same district, in classrooms within a single schoolhouse. These differences have been with us. And, I believe that they will—and in many cases, should—continue.

For the sake of example let us assume that, in the spirit of the California, Minnesota and Texas decisions, a state legislature decreed that within its boundaries each child should receive $300 worth of schooling per year. Further, let us assume that within that state there are two school districts, each with 90 students and each, therefore, with an annual budget of $27,000. To make the example even more illuminating, let us assume finally that all of the $27,000 grant to each district must be spent on instructional and para-instructional *personnel.* (Such costs account for about 80 percent of spending in the typical public school system.)

One school district might "buy" three teachers—each of whom earns $9000 per year. The local school board must justify its expenditure on the belief that a classroom of about 30 pupils is "ideal" and that students should not be exposed to completely inexperi-

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enced teachers. (It might have spent $8000 each on inexperienced teachers and had $3000 to spend on something else.)

A second school district might spend its $27,000 thus: $16,000 for two $8000 inexperienced teachers and the remaining $11,000 on two $5500-a-year teacher aides. Its school board might make this decision on the premise that teacher experience is not critical to student learning. This board of education might also argue that, in the interests of more individual treatment of children through use of a diversified staff it is better to have four than three adults meet with the 90 youngsters each day.

The point is clear. In each of these cases, the financial expenditure is the same. It is equalized. But the purchasable resources are not. With equalized financing, one cannot buy even the *appearance* of equality of educational opportunity. There are alternative ways of spending any given amount of educational dollars. This is one of the major insights that Program-Planning-Budgeting Systems (PPBS) have brought to educational decision-making.

The point becomes even clearer if one takes into account some of the social facts that affect the amount of educational resources a dollar will buy. Among these are regional differences in the cost of living index and nonfinancial rewards for work. Since teacher salaries and benefits constitute the lion's share of educational costs, teachers will be my focus.

Regarding regional differences in the cost of living: In depressed rural areas, the cost of living is lower than in central cities or their suburbs. So are teachers' salaries. In rural districts, a beginning teacher may earn only $7700 each year; in a wealthy suburb (where the cost of living is considerably higher), the same teacher receives $8400. In a city school district hiring 250 beginning teachers each year, the *extra cost* would be more than $100,000 per year, more than $1,750,000 over a ten year period.

Regarding nonfinancial rewards: teachers—like other workers in our society—do not live by bread alone. Beyond a salary, they receive what economists call psychic remuneration. A wealthy suburb which provides teachers with precocious students (and thus intellectual companionship), a secluded suburban parking lot, or a classroom relieved of severe discipline problems might have to pay less to attract a considerably more competent teacher than would a difficult, ghetto school.

The recent California, Minnesota and Texas court decisions alone cannot bring about indirectly the equalization of purchasable resources by the equalization of educational dollars. A more direct method will be required—if equalization of purchasable educational resources is considered desirable. States will have to rule rather precisely on how the equalized dollars should be spent; they will have to mandate specific class sizes and teacher pay schedules. They will also have to introduce *unequalizing* considerations to compensate for different cost of living indices and what might be very broadly called "other conditions of employment." Finally, they will have to introduce certain *unequalizing* considerations for special students: the blind, the emotionally disturbed, the retarded, and perhaps for the "culturally deprived" and for the "academically superior."

The second assumption of those who believe that the recent court decision might imply "equality of educational opportunity" suggests that purchasable resources are so powerful that equalizing them will be tantamount to equalizing educational opportunities. This position is not supported by the best (but imperfect) available evidence.

In July, 1966, the US Office of Education published a comprehensive study of the distribution of educational resources in American public schools and of the impact of these resources on the performance of students. The survey, chiefly the work of Professor James Coleman of John Hopkins University, was formally entitled *Equality of Educational Opportunity*. It has become known as "The Coleman Report." It raised these questions: How large are the differences between schools for rich and poor, for blacks and whites in relation to conventional measures of school quality like numbers of library books, kinds of laboratory facilities, availability of audiovisual equipment? Are racially and economically different children faced each morning with very different kinds of teachers? It also asked the toughest and most basic question: Do these differences in purchasable educational resources result in measureable differences in pupil performance or "achievement"?

Professor Coleman has consistently noted that his findings challenge conventional wisdom and his own expectations. Whether in the report itself, or before the US Senate, or during a university colloqium, Coleman has called the following three conclusions of his research "striking and surprising":

► Differences between the purchasable educational resources available to poor and rich, black and white children in America's public schools are small;

► Differences between the characteristics of teachers available to majority and minority, poor and rich students are larger than those for other educational resources, but are still small;

► Purchasable educational resources produce little impact upon the academic achievement of students. On this, Coleman writes, ". . . One implication stands out above all: That schools bring little influence to bear on a child's achievement that is independent of his background and general social context; and that this very lack of an independent effect means that the inequalities imposed on children by their home, neighborhood, and peer environment are carried along to become the inequalities with which they confront

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adult life at the end of school. For equality of educational opportunity through schools must imply a strong effect of schools that is independent of the child's immediate social environment, and that strong independent effect is not present in American schools."

Coleman concluded that traditional measures of school quality—espoused by educators and ensconced in school board budgets—are not the levers by which equality of educational opportunity may be achieved. Of all the resources within the schoolhouse, he found that the most powerful predictor of educational success or failure is *the unpurchasable:* the student's classmates. Before the Senate's Select Committee on Equality of Educational Opportunity, Professor Coleman summarized this most striking of his findings: ". . . What appears to happen is that the educational resources held by other children are more important in increasing the child's own achievement than those allocated by the school board . . . Thus, if schools are racially homogeneous or economically homogeneous, the disadvantages a working-class or Negro child, or a Puerto Rican child, or a Mexican-American child experiences in his home environment are multiplied by the disadvantages he experiences in his school environment. Consequently, turning back to the question of effective equality of educational opportunity, matters look much different than before: children are subject to inequality of opportunity by virtue of the very economic and racial homogeneity of the schools they attend."

The Coleman findings give support to those who feel that the students are the most important "resource," as well as the most important "product," of American public schools. They give support also to those who doubt that dollars and purchasable resources can be directly translated into educational quality or equality. (Schools are "more than a business.") They give support to those with lingering doubts about the power of the schools to correct wholesale the social and economic problems of the larger society. And yet they give hope to those who feel that the schools can do something.

At least three implications flow, more or less directly, from Coleman's study of American public schools. First, rather than focusing on methods of distributing purchasable resources more equitably among school districts, educators and legislators should concentrate on the development of purchasable resources that do have a significant impact on learning. For, only if these purchasable resources have power to produce quality education will they be worth equitably distributing to achieve equality of educational opportunity. This implies greater attention to research and development in American schools. The current budget for R&D in American public education is paltry. "Further research is necessary" has become a dulling refrain. Nonetheless, further research *is* necessary.

Secondly, since the unequalizing forces within the society as a whole are so great (and they can be measured by academic tests before children ever enter a schoolroom), educators intent upon the ideal of "equality of educational opportunity" must lend their active support to equalizing opportunities for the fathers, mothers, uncles and neighbors of the children they are committed to serve. Educators—singly or in organizations—must seriously consider whether in the interest of equality of *educational* opportunity they must professionally support things like the "guaranteed annual income," "low income housing," and "welfare reform." If "noneducational" factors (*e.g.*, low economic status of parents) result in "educational" deficiencies (*e.g.*, functional illiteracy), then "noneducational" remedies may produce positive "educational" results.

Thirdly, and in view of the confirmed power of socioeconomic and racial groupings of students, educators should be straightforward and staunch supporters of school desegregation—by social class, as well as by race, ethnic group, or color. Even though their words and actions may be considered impolite and impolitic within their communities, school teachers and administrators must attempt to disturb the cozy comfort of the neighborhood school (most frequently socioeconomically and racially homogeneous). They must also lobby for the dissolution of those school district and municipal boundaries that divide children by class and color. Professing a commitment to "equality of educational opportunity," they must unblushingly argue for regional desegregation—of homes and schoolhouses.

The recent school financing decisions by courts in California, Minnesota and Texas will not produce equality of educational opportunity. And they are not "in a class with the *Brown* decision." For, in overturning *Plessy*, the *Brown* Court ruled that "even though the physical facilities and other 'tangible' factors may be equal, [such materially equalized schools] deprive the children of minority groups of equal educational opportunities." Through *Brown*, the Court went further than these recent decisions in recognizing that it must be the students and not the less important educational resources that must be equally distributed. The impending court-directed merger of the Richmond, Virginia schools with those of suburban Henrico and Chesterfield counties progresses from *Brown* (1954). The California, Minnesota, and Texas decisions regress toward *Plessy* (1896).

The main problem, of course, is not whether the recent court cases are historically progressive or regressive. It is rather that some people are innocently perceiving them as reform measures that will ineluctably bring about equal educational opportunities. Educational reform does not need its reputation further trampled by promising again what it cannot deliver.

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Stanley Kauffmann on films

Pocket Money
(National General)

Slaughterhouse Five
(Universal)

And Others

It takes a lot of nerve to make a pleasant picture, one that's not intended to excite or scare or stir us or even make us laugh aloud much, one that's just intended to be easy to watch. *The Flim-Flam Man*, with George C. Scott, started that way but lost its nerve and got dramatic. The Czech film, *Intimate Lighting*, did not lose its nerve and was pleasant throughout. A new one, quite different, is *Pocket Money*. It ambles and rambles, there are sections in it that almost audibly ask to be overlooked, it doesn't arrive anywhere much or deliver any great thump while getting there, but I certainly was pleased to be sitting in front of it.

It's a contemporary Western—Southwestern, really. Paul Newman is a rancher who runs into money trouble. He takes a job buying rodeo cattle in Mexico, knowing that his boss is a sharper, but he has no alternative. In Mexico he looks up an old pal, Lee Marvin, who helps him. Like the boy on the bicycle who heads for the tree, these two head slowly but inevitably toward the reaming that they know their employer has in store for them.

This comedy has two principal aims. The first is to parody the conventional Western by blatantly sidestepping all its conventions—the shoot-out, the chase, and so on. The film behaves like a steeplechase horse that walks around all the jumps, which is funny. We know, because of our movie-going education, when the moment has come for the big fight: so do the characters. They deliberately tease around the edge of it, and then don't have anything like a real fight. It's a genuinely comic concept, and it works.

The second aim is the characterization of the two principals. These are good, largely successful attempts at American rural comedy. Newman is determined and not very bright, good-hearted and knowingly gullible, hot-tempered and quickly repentant. In his last previous film, *Sometimes A Great Notion*, which he directed and which was one of the muzziest films in years, he gave a perfect performance as a stiff-necked, rugged-individualist lumberman. Here he is simply and completely transformed. No makeup, no limp or tic. His accent has changed but that is merely part of his complete conversion to this other man. Newman found himself a model or models, fashioned this man in his mind, and *is* that man, from his first on-screen breath. To see these two Newman films in a row is to learn a little of what acting is really about (and, incidentally, to see what has gone wrong with Brando in *The Godfather*).

Marvin, one of the few effortlessly compelling American screen actors, plays a man shrewd within severe limits, smooth except when he is jumpy, a great relisher of situations, a man in perfect control of very little. Marvin has waded through a lot of bad pictures lately, but here he gives his best comic performance since *Cat Ballou*.

Some favorite moments: Newman, in a fit of frustration, stops his car, gets out, picks up a bottle from a garbage dump, smashes it against a wall, then gets back in his car and drives on. Marvin, badly hung over, comes out of his dowdy Mexican hotel room to wash up on the balcony, reaches blindly for the soap, and touches a pigeon that has roosted on the shelf. That, friends, is comic reacting.

The script is by Terry Malick, from a novel by J. P. S. Brown, adapted by John Gay. The dialogue is excellent, flavorful, dotted with those florid locutions that are the mark of a writer who knows his people and knows they sometimes use surprising words. The direction is by Stuart Rosenberg, not the world's greatest master of camera placement. The action is, incomprehensibly, sometimes placed at a distance or behind a distracting object, like a parked car full of irrelevant people. But at least Rosenberg understood his stars. The cinematographer is Laszlo Kovacs (*Five Easy Pieces*, among others). Kovacs is overfond of sun-spots on the lens and halation from white shirts, but some of the picture, like the last sequence in front of a dilapidated lonely railroad station, is stunning.

I could have done without such episodes as the one with the Mexican girl or with the nonexistent rustlers, but, in complete contradiction, I wish the film had gone on. In further contradiction, I liked the casual way it ended. People sometimes say that they are hungry for

(continued on page 35)

STANLEY KAUFFMANN's *film and theater criticism will appear weekly, beginning with this issue.*

Films Worth Seeing

Cabaret. A mordant musical based somewhat distantly on Isherwood's *Goodbye to Berlin.* Michael York splendidly shy as the hero, Liza Minnelli good but still Judy-Garlanded as Sally Bowles. Bob Fosse directed with incessant glitter. The intent was to be touching and politically sharp. Result: bric-a-Brecht.

The French Connection. Sappy but zappy. A thorough thriller, about drugs in Marseilles and Brooklyn. Gene Hackman heads a heads-up cast.

Gumshoe. A breezy but bored Liverpool night-club comic opts for the Bogart life and lingo. Albert Finney keeps the fantasy funny.

The Hospital. George C. Scott blasts off in a wobbly but often bright Paddy Chayefsky script about a middle-aged New York doctor and his young doxy.

The Sorrow and the Pity. A 4½ hour documentary—the shortest 4½ hours conceivable—about occupied France and some survivors today. Intelligent, humane, truly unforgettable.

Tokyo Story. A gentle masterpiece by Yasujiro Ozu, about parents and children and the passage of one's life. If any of these subjects happens to interest you, insist that a local manager book it—from New Yorker Films.

SK

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John S. Rosenberg on TV

The Perils of Analogy

Perhaps inspired by the success of the BBC's historical dramas, CBS on April 24 gave us an hour long study of the surrender at Appomattox, reminiscent of the "You Are There" series of the '50s. Surely we should raise a cheer. Here was commercial television not only dramatizing history and doing it interestingly, but also trying to make it "relevant." "It is hard to explore the corridors of the past without coming face to face with ourselves," announced narrator Hal Holbrook, standing in the midst of gravestones of the Civil War dead. True enough. But "Appointment With Destiny" failed.

I refer not so much to historical errors (southerners and Civil War buffs must have cringed at hearing Grant's soldiers singing "The Bonnie Blue Flag," one of the most popular Confederate ballads), nor to the program's reference to the terrible legacy of "the abuses of Reconstruction" (for nearly a generation many historians have concluded that Reconstruction had positive achievements but failed because it didn't go far enough). I refer to the "lessons" taught by CBS's exercise in relevant history, to the parallels drawn between the closing years of the Civil War and our own time. Was "Appointment With Destiny" designed to regain some of the favor CBS lost at the White House with "The Selling of the Pentagon"?

Emphasizing the rising disillusionment with the war in the North and the corresponding growth of a dangerous "peace movement" as the crucial 1864 election approached, the script writers stretched far to left and right for arresting analogies to our present situation. We were shown a brooding Lincoln pressured by rancorous, divisive, unpatriotic "anti-war Democrats" (some were shown burning an American flag, others—looking very much like today's youthful protesters—were beaten by police) nevertheless standing firm and refusing to follow the path of compromise or negotiation. Any other President, we were told, would have taken the popular action of ending the war, but not Lincoln; he maintained a quiet confidence that victory could be won. His problem was to win reelection while at the same time continuing the war, and he recognized that his political success would depend on military success.

As he vainly sought a winning general the North was wracked with cries of "Bring the boys home now!", with anti-draft riots in New York, and with "Peace Democrats" such as Clement Vallandigham of Ohio and Fernando Wood of New York, who denounced the administration for callous disregard of civil liberties and the repression of dissent. Lincoln stood firm, and in U. S. Grant he finally found a general capable of delivering victory. When Grant's first effort after taking command of the Union proved exceptionally costly (17,000 men lost in the first three days of fighting—in the Wilderness) it looked for a while as if Lincoln were a Lyndon Johnson who had met his Tet. But the President didn't buckle. Grant pressed on, and though his losses eventually exceeded the size of Lee's army, victory was finally won. The moral is: perseverance is rewarded.

Except for the final victory, this all sounds familiar. Indeed, it is the picture Lyndon Johnson, and now Nixon, paint of themselves. There are elements of truth in it: the Civil War was becoming unpopular; "Peace Democrats" did accuse the President of suppressing civil liberties; Lincoln did resist the pressure and turn a successful campaign (Sherman's capture of Atlanta and subsequent march to the sea) into a successful reelection campaign in 1864.

But is Nixon really playing Lincoln to McGovern's Vallandigham? No. The northern "anti-war Democrats" were against the war primarily because they were pro-southern, and often even pro-slavery. Yet nowhere in "Appointment With Destiny" was this racism and opposition to a war which would free the slaves mentioned, nor was the fact that New York's anti-draft riot was primarily an anti-black riot. The "Peace Democrats" of the 1860s have more in common with the Wallace than the McGovern wing of the Democratic party today. Secondly, the victory Lincoln sought was the integrity of the nation, while Nixon's is the survival of a puppet regime in Saigon, hardly parallel goals. And, for those "realists" who oppose our Vietnam policy largely because it hasn't worked, it is worth mentioning that Lincoln, though at a terrible cost, was able to achieve a decisive military victory within six months of his reelection, while the war in Vietnam has been dragging on since World War II, and there is no South Vietnamese Grant in sight. If he resembles any historical figure (other than Lyndon Johnson), Nixon resembles Jefferson Davis in his determined prosecution of a war which, after 1864, could not have been won, never should have been won, and which citizens had lost the will to fight.

America pays homage to Mother Teresa, the Servant of Calcutta's poor.

Winner of the special Kennedy International Award for outstanding service to humanity, Mother Teresa is, in the words of Pearl S. Buck, "a genius for love."

Sargent Shriver urges, "read her book but more important live it, for if America is lucky this book and this woman will infect our nation."

SOMETHING BEAUTIFUL FOR GOD

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Changing Our Habits

A Theory of Justice

by John Rawls

(Harvard University Press; $15.00, paper $3.95)

Uncommon Sense

by James McGregor Burns

(Harper & Row; $6.95)

"A good government," said Madison in the *Federalist*, "implies two things: first, fidelity to the object of government, which is the happiness of the people; secondly, a knowledge of the means by which that object can be best attained. Some governments are deficient in both these qualities; most governments are deficient in the first. I scruple not to assert that in American governments too little attention has been paid to the last." He went on to promise that the new Constitution would fix all that, but somehow after two centuries such optimism seems misplaced. At all events, to judge by the things they say, the people aren't happy, or if they are it is little thanks to their government. On the other hand to maintain that the problem lies in the knowledge rather than in the intentions of those in power still seems right; unless they all really are unscrupulous charlatans, it must be that there is something they have failed to grasp. So the question is, who is to enlighten them?

Well, enlightenment comes in various forms, sometimes even by means of books. And it is a pleasure to be able to recommend, to any politicians who may take Madison's words to heart, an indigenous American philosophical masterpiece of the first order, which if read and meditated upon might help to clarify their understanding of what they are about. It might also make them uncomfortable, as showing how glaringly their habitual behavior departs from minimal standards of reason and equity. The book in question, John Rawls' *A Theory of Justice*, needs no recommendation to professional philosophers, who have been waiting for it for some time. But my purpose here is not to assess its contribution to the discipline of philosophy. Rawls himself says disarmingly that he was just trying "to generalize and carry to a higher order of abstraction the traditional theory of the social contract as represented by Locke, Rousseau, and Kant," and the fact that he can make such a claim without immodesty, and get away with it, will give some indication of the book's philosophical significance.

I mean rather to press my recommendation of it to non-philosophers, especially those holding positions of responsibility in law and government. For the topic with which it deals is central to this country's purposes, and the misunderstanding of that topic is central to its difficulties. Nothing could better occupy the attention, for example, of the staff at the Department of Justice than a careful study of Rawls' book; it would be much more beneficial to the cause of justice, in the long run, than conjuring up conspiracies among imprisoned clerics or badgering the networks for presenting the news too well. Unfortunately, this is not the kind of book that bureaucrats are likely to find time for, consisting as it does of 600 pages of reflective and close-knit argument. Yet its prose is perfectly accessible and for the most part does not depend on technical proficiency in philosophy for its comprehension. And the central idea is simple, elegant, plausible, and easily applied by anybody at any time as a measure of the justice of his own actions.

Contract theories in ethics—which in the last 100 years have been somewhat overshadowed by utilitarian ones—hold that men deliberately give up some of their original autonomy in exchange for the protection that moral rules and legal institutions afford; and, to make this vivid, expositions of these theories often begin with a description of a "state of nature" that must have prevailed before the emergence of the contract. A famous example is Hobbes' war of all against all, with its "continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short." Difficult questions arise, however, about whether it was really ever like that, who were the parties to the original contract, why we should be bound by it, and so on. Rawls gets around all this by inventing a hypothetical analogue of the state of nature, which he calls the "original position," in which men are thought of as deliberating about the principles of justice which are to guide their behavior and determine the form of the society they are to live in.

Any of us can put ourselves imaginatively into the original position as often as we like. In it "no one knows his place in society, his class position or social status, nor does anyone know his fortune in the distribution of natural assets and abilities, his intelligence, strength, and the like. I shall even assume that the parties do not know their conceptions of the good or their special psychological propensities. The principles of justice are chosen behind a veil of ignorance." The question is, what principles would we agree to be bound by if, instead of being the individuals we now know ourselves to be, we might when the veil of ignorance was removed turn out to be male or female, white or black, rich or poor, intelligent or slow-witted, strong or weak, young or old and so on, by some random assignment over which we had no control? For these principles, Rawls claims, are likely to be fairer than those into the consideration of which known vested interests enter. If one actually ran the risk of *being* a heroin-addicted veteran, a woman with an unwanted pregnancy, a black dropout, one's attitude to drugs or abortion or ghetto schools might be different. So a rule-of-thumb test for the justice (and indeed for the morality) of an interpersonal action becomes: Would I act on the same principle if I did not know my own position relative to that of the other persons involved?

Rawls offers two principles of institutional justice that he thinks it likely people in the original position would

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accept: 1) "Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all," and 2) "Social and economic inequalities are to be arranged so that they are both (a) to the greatest benefit of the least advantaged, consistent with the just savings principle, and (b) attached to offices and positions open to all under conditions of fair equality of opportunity." Now obviously I cannot here go into the meanings of all the expressions involved in these statements, much less into the arguments that sustain them—that is just what Rawls has used the rest of his book for. But the second of the two principles—the "difference principle"—is of enormous importance for a society officially dedicated to equality but not quite certain what that means. For it sanctions inequalities, within limits, provided only that these inequalities justify themselves by working some benefit to everybody, even the least advantaged members of society, and provided that they are not built into the starting positions (in terms of birth or color, say) that men occupy in life, but arise during their lives as consequences of actions performed under adequate moral restraints. (The "just savings principle" carries the argument beyond the present—it requires us to think of what future generations may need in the way of resources that we might be tempted to squander in order to correct inequalities or just to gratify our own greed.) The difference principle is easy to apply in individual cases, even though strictly speaking it is designed to cover institutionalized classes of cases. But Rawls will not tell a man what to do if he finds himself in violation of it. Its force has often enough been recognized, for example by those who have given away inherited fortunes, or considered that wealth imposed a special obligation to public service, but it is clear that in general the correction of unfair privilege cannot safely be left to the consciences of individuals and needs to be written into the constitution or the law.

A Theory of Justice has to be read, and read carefully, if the force of these conclusions is to have its full effect. It is generally realistic ("A conception of justice should not presuppose extensive ties of natural sentiment"—*i.e.*, brotherhood can't be trusted) but at the same time quietly optimistic ("At least in the course of time, the effects of common deliberation seem bound to improve matters"). It has unexpected moments

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of dry humor ("When we say [of animals or plants] that they have a good coat, or good roots, we appear to adopt the point of view of the animal or plant. No doubt there is some artificiality in doing this, especially in the case of plants"). It contains original theories of morality and of government as well as of justice. I do not of course mean to say that it is philosophically invulnerable, indeed it will provide plenty of kindling for academic debates in the next decade or so. Nor for that matter is it without more general weaknesses—its psychology tends to be simplistic, leaving far too little room for the obtuse variations actually found among human beings, as well as attributing to them far more rationality than most of them seem to possess, and at times its view of the just society comes too close for comfort to a kind of rationalization of Western bourgeois property-owning democracy. But it is a rich and monumental book. If any book should be read between now and 1976 by Americans concerned about the state of the Republic it should be this one.

The likelihood that that advice will be followed is of course vanishingly small. Rawls doesn't even address himself to contemporary conditions except by one or two rather distant allusions; there is nothing topical about his book, apart from an admirable discussion of civil disobedience and conscientious refusal. But that is generally regarded as proper for a philosophical treatise. Philosophy will enlighten, but not insist on doing so; it is up to other people, or to philosophers in less reflective moods, to interpret its message in a practical context. This problem of what philosophers should do with the wisdom they seek, should they succeed in finding any—and I do not think it extravagant to say that Rawls has found quite a lot—has been acute since Plato, and since Marx has strained the very concept of philosophy. We have not solved it satisfactorily.

But there are plenty of people in other disciplines ready to put themselves forward as sources of enlightenment, and one of them is James McGregor Burns, whose book *Uncommon Sense* is the sort of thing people *are* likely to read, in view of the fact that last year it won a Pulitzer Prize and a National Book Award. I mean no criticism in saying that Burns puts himself forward, indeed my earlier remarks are to be construed rather as a criticism of philosophers for not doing so. Burns does, it is true, succumb to a bit of melodrama in the process: his book, he says, "dares to say, two hundred years after Tom Paine, that the cause of America is still 'in a great measure the cause of all mankind.'" Why this should be thought daring beats me, unless Burns is at heart a good deal more timid than his picture on the jacket makes him look. Be that as it may, the book begins in a fine hard-hitting way with a discussion of what Burns sees as a failure of the American system, a failure which, he says repeatedly, can't be corrected either by piecemeal reform or by violent revolution. The history of this failure is traced from 1776 to the present, or let's say to 1976. Nobody needs to make that association on Burns' behalf, nothing could be more topical than this book; he even tries, by fudging tenses, to extend its contemporaneity past the presidential elections, and thus make it into the straight towards the Bicentennial ahead of the pack: "A candidate specifically attempting to uproot an incumbent president, as the Democrats *were* required to do in 1972, *needed* to show a capacity to develop a personal following . . ." (emphasis added).

But the diagnosis is convincing and at times powerful, and the book as a whole is carried forward by an impressive kind of passion. There is even a nice bit of theoretical analysis in the middle, based on the "theory of cumulation" of Gunnar Myrdal, to whom the work is dedicated. The trouble begins when we get to the remedies, of which there are two kinds, one theoretical and innocuously vague, the other practical and alarmingly specific. On the one hand we need, says Burns, a change in our habits of thought. The younger generation, of course, has already changed its habits of thought, but that isn't what he means; our task is rather "to locate, to discover, the ideas that are deep within us," "to rediscover our overarching values." (My own feeling is that we need a change in our *habits*, but that all this reaching up and digging down won't achieve it—we have to start at ground level.) On the other hand we need to make government more effective, to develop leadership, etc. Here Burns sees the answer in increased presidential power (he's betting on the Democrats) and in the creation of task forces and "presidential agencies" through which the efficacy of national executive would reach into the murky corners of state and local government, thus coordinating everything and overcoming the clumsy and wasteful indecision with which the country is so lamentably afflicted.

Granted that something needs to be done, still the wildly Utopian character of this scheme staggered me when I came upon it at the end of a book that had begun in such a tough, no-nonsense spirit. The idea of creating *another* set of super-administrative agencies to pile on top of the labyrinthine strata of government through which we already have to make our way seemed almost inconceivable as a serious strategy for reform; the obstacles to their creation and operation that would be thrown up by regional and factional interests would be insurmountable, quite apart from the inherent difficulties of staffing and leadership that are already apparently insoluble in the agencies we have. And this led to reflection on the contrast between the remote and aloof character of philosophical argument as typified by Rawls, and the immediate and concerned character of political persuasion as typified by Burns.

Burns is right, I think, that neither reform nor revolution by itself will work; the change must be in persons and in the ideas they bring to bear on their responsibilities. (Some reforms would help, nevertheless, provided they simplified rather than complicated the processes of government.) But how are persons to be persuaded to change their ideas? Only, it seems to me, by being exposed to ideas better than the ones they now have, ideas not necessarily tied to the preoccupations of the moment but involving underlying principles. For this purpose philosophical detachment is a far more relevant attitude than political commitment, in spite of entrenched national prejudices to the contrary. And this brings me back to *A Theory of Justice*.

In the 19th century British statesmen used to read Bentham and Mill, who were not considered too great an intellectual challenge, nor too academic to be germane to the business of government. Now, if they are up to it, American statesmen have—for the first time perhaps at this level of scope and analysis—a philosopher of their own to read. If they were actually to read him, they would recognize standards of justice to which they have long paid lip service; if they were to take seriously what he says, they might even begin to put them into effect. Not that these standards are everywhere flouted, but if they were more frequently applied the people would be a lot happier than they are.

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In moving one judicious step beyond liberalism to his theory of "democratic equality" Rawls has succeeded not only in formulating an intuitively plausible standard for government to live up to, but also in presenting a new and formidable challenge to radical criticism. It is one thing to show that the system as it exists, what with Nixon, the ITT and all, is flawed, quite another to show where the flaw lies in the general theoretical direction laid down for it in the 18th century, a direction that Rawls essentially follows and corrects. The former has always been laughably easy; the latter, from now on, will be harder.

Peter Caws

Came Home Empty

The Children of Pride

edited by Robert Manson Myers

(Yale University Press; $19.95)

On January 7, 1867, Miss Mary E. Robarts of Marietta, Georgia, wrote a long and mournful letter to her sister, Mrs. Mary E. Jones of Liberty County in that same state. It said in part:

> My dear cousin, can we be the same persons who commenced life so differently? Your devoted husband laid in the grave; all your children scattered; you in solitude, with scarce enough to live on left. I feel like Naomi: went out full, came home empty. The dear young faces that used to give light to our dwelling are not with us; one in heaven, the others just beginning life for themselves.

In poignant summary, that paragraph describes the themes of *The Children of Pride:* change, human loss, the end of a way of life. The book, a collection of more than 1000 letters written by the members of a large and prominent Georgia family in the years 1854-68, enlarges our understanding of that traumatic period in American history as few others have done. As Robert Manson Myers writes in his elegant preface, "It is unfortunate that statesmen and generals tend to monopolize the page of history: the texture of daily experience is to be found not so much in the accounts of laws and battles as in the records of ordinary people leading ordinary lives and facing ordinary problems. By means of letters we can reconstruct the quality of such ordinary lives; by means of the letters in this book we can reconstruct the quality of ordinary lives in coastal Georgia a century ago." That claim may seem immodest, but it is wholly justified: *The Children of Pride* is extraordinary social history, a recapturing of the past in which the reader not merely observes but participates. It is, I think, a great and indispensable book.

For the reader, as obviously it was for the editor, it is an enormous undertaking. Preface included, the actual text runs some 1500 pages; there are also a 300-page biographical supplement and two indexes, all meticulously detailed. The book is nearly as heavy as a brick, and reading it involves no small physical labor. But the task is not fatiguing, for this is elemental human drama.

The family of the tale—which Mr. Myers has subtitled "A True Story of Georgia and the Civil War"—centers around the Rev. Charles Colcock Jones, a retired Presbyterian minister. The other principal letter-writers are his wife, Mary E. Jones; the elder of his two sons, Charles, Jr.; and his daughter, Mrs. Mary S. Mallard. There is also a mind-boggling assortment of uncles, aunts, nieces, nephews, cousins and others who in one fashion or another fit into that vast familial tangle known as a southern "connection."

The Joneses were not quite as "ordinary" as Mr. Myers suggests. They were pious and God-fearing people (indeed, so much so that one rejoices at the ap-

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pearance of an occasional errant soul), but they lived in considerable affluence and ease. They owned not one plantation but three (bearing the marvelous names of Maybank, Montevideo and Arcadia) in Liberty County, about 30 miles south of Savannah; they also owned dozens of slaves. They were people of what Charles, Jr. called "character, blood, and social position." Dr. Jones, though in failing health, was an influential and widely respected churchman; Charles, Jr. was to become a ranking officer in the Confederate Army and, after the war, a distinguished lawyer and regional historian; Joseph, his younger brother, was to become an eminent physician and medical educator; Mary's husband, Robert Mallard, was a minister who served for a time as editor of *The Southern Presbyterian.* If one can for a moment forget that slavery was the foundation upon which their peaceable kingdom rested, it must be said that theirs was a good and genteel life.

Though that life and the civilization that fostered it were to become victims of history, the Joneses were history's servants. That is because they wrote to each other with astonishing frequency, and did not discard their letters. Some of their prose is stilted and clouded by the flowery sentimentalities of the day, but by and large it is remarkably keen and informative. Mr. Myers, a wise editor, recognizes that the letters themselves tell the story, and he provides no running commentary or explanations; we are allowed, through the words of the participants themselves, to witness the last days of a civilization, its collapse, and the beginning of its new life.

The Children of Pride can be read on a number of levels. It is, as Mr. Myers suggests, in the form of an epistolary novel and is fascinating purely as such. It is a social document, for it contains an incredible amount of detail about how certain people in a certain place lived at a certain time. It is an account of the devastation, physical and psychological, when war strikes at one's very home. And it is, as I believe Mr. Myers intended it to be, an inquiry into the moral complexities of history.

The story (and, speaking of it as such, one *is* tempted to call it a novel) proceeds at the pace of life itself. Great events are always in the background, finally to intrude with crushing immediacy, but these are lives—as are all our lives—of essentially private drama. As a case in point, consider this charming letter written on June 19, 1857, by the Rev. D. L. Buttolph to Dr. Jones, his uncle, describing his infant son: "Charlie is growing fatter and more lovely and engaging every day. He finds a great source of amusement in pulling off his grandmother's spectacles. The little fellow takes a bath every morning in his bathing tub, and splashes the water with his hands and feet. He is a dear boy, and I hope he will grow up and be useful to the world." Then, on May 17, 1858: "Our little Charlie has left us. God has taken him. . . . The doctor arrived at 12 M. As soon as I saw him this evening, I perceived a very great change in him, but did not anticipate his death. Between ten and eleven o'clock he was taken with convulsions, in which he died at 1½ A.M. . . . Our hearts are crushed, but we try to bow submissively to the will of God."

Such passages are inexpressibly sad; they are not infrequent, for life then was fragile and a child was, as Laura Buttolph wrote of their second son, "a lent treasure, not given, though he may be lent to us all the days of our lives." Yet *The Children of Pride* is not a joyless book. Whether in antebellum tranquility, wartime attack or Reconstruction despair, the Joneses and their kin were bound by a loyalty to family and place that gave them strength and hope. They shared everything: the pain of death and defeat, but also the happiness of marriage and birth, of esteem in the eyes of society, of countless small daily accomplishments.

The dailiness of the book is exquisite. Passages of seeming trivia yield delicious nuances: "Thanks to Sister for her remembrance of me in the pincushion, a very appropriate present for a young bachelor. I shall carry it near my heart —that is, in my left breast pocket— where it shall always be at the services of the ladies who may perchance have lost a pin." Or, in a letter from Hot Springs: "Springing from depths unknown, they have a living heat which seems to penetrate the whole system, and exert an astonishing influence in removing old and chronic diseases, liver affections, rheumatism, neuralgia, dyspepsia, etc., etc."

Courtliness, charm and naivete are constants, but darker matters lurk underneath. We see, throughout the book, regional chauvinism rising to fever pitch and becoming "God's cause." The Joneses devoutly worshipped their God, but he spoke with a southern accent. As sectional animosity mounted, their espousal of the southern cause became an obsession. Charles, Jr., writing of North and South in early 1861, said, ". . . in this country have arisen two races which, although claiming a common parentage, have been so entirely separated by climate, by morals, by religion, and by estimates so totally opposite of all that constitutes honor, truth, and manliness, that they cannot longer coexist under the same government. Oil and water will not commingle. We are the land of rulers; fanaticism has no home here. The sooner we separate the better." The next year his father wrote: "Up to this hour we can say the Lord has been on our side; to Him let us constantly commit our cause."

It is hardly surprising that, when the "diabolical enemy" neared Liberty County, the Joneses were incredulous. "It grieves me deeply," Charles, Jr. wrote, "to know that *home*—a place so peculiarly consecrated to peace, quiet, religion, and true happiness, the abode of my honored and beloved parents and of my precious little daughter—should have been ruthlessly disturbed in its security and calm repose by the near approach of those lawless bands of robbers and freebooters who are now . . . endeavoring to deprive us of everything which we hold priceless in individual, social, or national existence." In late 1864 the war hit Montevideo directly. Isolated there with only a handful of servants and small children, the widowed Mrs. Jones and her daughter Mary were under constant siege for days. The farmland and stock were devastated, many of the slaves fled—and the mansion—*home*—was reduced to little more than a shell.

At the end of the war, Charles, Jr.'s wife Eva wrote a lament that could serve as epigraph for *The Children of Pride:* "The degradation of a whole country and a proud people is indeed a mighty, an all-enveloping sorrow." It is difficult to imagine that one could read the book and feel otherwise, for it demonstrates that when one views the collapse of southern civilization through the eyes of those who went down with it, no glib judgments about good and evil can be made. It can be said that the South invited its own collapse by its single-minded, ultimately fanatical insistence

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NOTES ON CONTRIBUTORS

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on retaining slavery; it can also be said that a society rooted in slavery is not a "civilization" at all, that if it must be destroyed in order to eradicate slavery, so be it. All that can be said, and probably it is true, but at the end of *The Children of Pride* there are complex questions to be answered.

The Joneses—and all the prideful southern whites like them—were slaveholders and rebels to be sure, yet who is to say that they did not earnestly believe their society was "peculiarly consecrated to peace, quiet, religion, hospitality, and true happiness"? Charles Colcock Jones was a zealot for the Confederate cause and a slaveholder who regarded Negroes as "property," yet he devoted most of his career to the religious education of the slaves, and became widely known as "Apostle to the Blacks." Wrongheaded and condescending he may have been, but was he an evil man? Perhaps, by some lights. But one cannot read his letters, or those of the many people who loved him, and believe it.

The Children of Pride tells us that good people may ally themselves—passionately, foolishly, uncompromisingly—with bad causes, and that they do not as a result automatically become "bad" people. The Joneses of Liberty County were real and decent people; *The Children of Pride* is the story of how they were caught in a historical drama they did not anticipate and, while it was going on about them, did not understand. The book is about irretrievable losses and human suffering, and thus is about much more than a Southern family in the years 1854-68. We read it now to our profit.

Jonathan Yardley

In Brief

The Wonderful World of Women's Wear Daily by Katie Kelly

(Saturday Review Press; $6.95)

The tasteless style of this history and estimate of the current state of the garment industry's trade paper, *Women's Wear Daily*, is established on the second page: "Yet it (*WWD*) is to many, as sexy as the Pill and just as necessary." The writing is so dreadful that it not only obtrudes upon the facts but substitutes for them entirely. It is composed of capital letters, coy cliches, notsoyoung slang, fashion-magazine jargon, anecdotes made worse by repetition. Occasionally, in spite of it all, fashion history is inserted into the manic, high-wire prose, so one learns, *quand même*, of publisher John Fairchild's losing battle for the Midi, and the launching of Hot-Pants. *WWD's* recent trend toward slanderous gossip and personal attack by innuendo and insult upon prominent women and male designers is dealt with in the course of events; but again the reader's interest is dissipated in the presence of such imagist dillies as "Even Ethel Scull who was not born with a pop art painting in her mouth . . ." and "Betsy Johnson may not have given the world a cure for cancer but she did get things moving in a whole new fashion direction." Gross similes abound: "Fairchild blasted away and the miniskirt fell like a virgin before the football team."

The moral is that women should not allow the likes of *WWD* and Fairchild to lead them around by the nose. One is tempted to wonder whether some sort of parody was intended—no one endowed by the Creator could write this badly—but reading a week of *WWD* encourages the reviewer to dismiss this conjecture. Beside Ms. Kelly, John Fairchild's writers are as the common cold to cholera. The style apparently, is contagious.

The Clock Winder by Anne Tyler

(Knopf; $6.95)

Readers who have found much to admire in Hannah Green's *The Dead of the House* will derive similar pleasure from Anne Tyler's latest novel, *The Clock Winder*. Barely 30, Tyler has behind her the extraordinary achievement of three beautifully realized, quiet, humorous novels, the kind that are too often overlooked in an America eager for sensational fiction. She has always had a remarkable understanding of the intricacies of family life, a sympathy for odd-ball characters who never become merely southern grotesques (Tyler grew up in North Carolina and, according to her book jacket, considers herself a "Southern writer") but are observed so gently that the term "neurotic" seems equally inappropriate for them. The heroine of *The Clock Winder* is 20-year-old Elizabeth Abbott, a college dropout, a laconic girl who falls almost by chance into the job of handyman for an eccentric Baltimore family, the Emersons. In the 10-year span of the book, we see Elizabeth change while around her the seven Emerson children, already grown when the book begins, move in and out of her life, she finally inalterably affecting them, they in their turn affecting her.

Memoirs of an Ex-Prom Queen by Alix Kates Schulman

(Knopf; $6.95)

Though it takes most of the book for Sasha to leave her first husband, by the end she is leaving her second. In between, in alternating flashbacks, we watch Sasha's development from a grade-school girl as she strives to become pretty and *know* she's pretty, to a prom queen and her loss of virginity, to a college coed in love with philosophy and her professor, to a bride whose husband appreciates her intellect as well as her looks, to a mistress in Europe ("if I could know for sure I was still beautiful . . . [but] I knew my looks were slipping"). The narrative is sprinkled with astute observations about society's sometimes subtle manipulation of children as it prescribes their sexual roles, and spiced with humor and irony as Sasha seeks to fulfill her role and herself.

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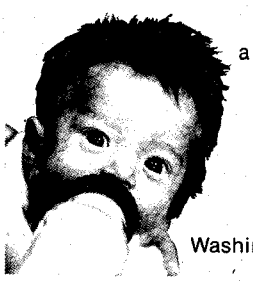

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Theater

Freedom & Constraint—II

The American theater at the present moment enjoys an unprecedented freedom in political and sexual matters; its major censorship battles are won, its enemies routed, its audiences unshockable, its rights and privileges unlimited. And the question I would raise now is: If everything is so marvelous, why is the theater so demoralized? Why do those who work in the profession often seem so despondent? Why is it now so difficult to arouse enthusiasm even for the most imaginative and experimental work? Why do audiences frequently seem so torpid and performers so listless?

To say that we lack plays and playwrights is not really to answer these questions. It is true that nobody writing for the theater today has O'Neill's stature, or even that of Williams and Miller; it is also true that we have never before had such a large number of good young writers, with serious ambitions: Sam Shepard, Ronald Ribman, Maria Irene Fornes, Terrence McNally, David Rabe, Rochelle Owens, Michael Weller, Adrienne Kennedy, Rosalyn Drexler—these are the names of playwrights of talent, imagination and integrity. None has yet written a major play—some may never write a major play—but the encouraging thing is the quality of their shared ambition, their search for an authentic poetic vision. Each year, two or three names can be removed from such a list for not having realized their promise, but two or three new names can be added as well, for the time has come when young writers are being attracted to the theater as an important literary form, instead of as a potential financial bonanza. In short, as the American theater has lost its commercial appeal, it has gained in its potential for artistry, and the talent that exists is now being used for serious purposes, not just to manufacture Broadway hits.

Along with the growing number of serious playwrights, we at last have a growing number of serious theaters. No longer is the fate of a play tied to the whims of the commercial producer who makes his decisions, chooses his cast and director, and asks for revisions primarily on the basis of what will sell. Resident companies are mushrooming throughout the country, supported partially by the community, partially by foundations, partially by the National Endowment for the Arts, always precariously balanced financially, but still not completely dependent on the box office for their survival: these are geared to offer the right kind of hospitality to new plays. The Mark Taper theater in Los Angeles, the Arena Stage theater in Washington, the Public Theater in New York, the Yale Repertory Theater and the Long Wharf in New Haven, the Chelsea Theater in Brooklyn, the Trinity Square Playhouse in Providence, the Open Theater, the Magic Theater, the Manhattan Project, Cafe La Mama and countless others are all devoted to seeking out, commissioning and producing the best available plays, often with actors, directors and designers who have already worked together as an ensemble.

So we don't lack theaters either, though the traditional centers on Broadway and off Broadway don't seem to be holding, indeed are falling apart. What do we lack, then, if the material exists, along with the necessary producing units, and the freedom to do it honestly and well? I would suggest that we lack a passionate engagement between the theater and its actual or potential public: Americans just don't seem any longer capable of an open and energetic response to the theater's special powers. I would further suggest that the apathetic, indifferent relationship between the spectator and the stage is one of the major reasons why the theater is now able to enjoy such unusual freedom from resentment, constraint and interference.

What I am saying is that the theater has achieved its freedom at the very moment when it has become rather hollow, that the facile way in which even the most revolutionary theatrical expressions are absorbed is the clearest proof that they are having no effect. This idea, with its suggestions of repressive tolerance, may sound Marcusian. But unlike Herbert Marcuse, I see no conspiracies behind this dilemma, no conscious plan to stifle dissent by assimilating it—merely a combination of forces and accidents that have helped to create a cultural atmosphere inhospitable to real theatrical connection. One of these is the increasing sophistication of the audiences. If the theater is suffering from its very security, if nobody feels particularly threatened even by its most radical twists and turns, then this may be because we have grown so jaundiced and skeptical that the theater has lost its power to reach us.

Certainly, the day seems to be over when, like Claudius in *Hamlet*, a guilty person sitting at a play could be moved to proclaim his malefactions, or could be infuriated enough, like that legendary Texan watching a touring production of *Othello*, to shoot the actor playing Iago for his villainy. When the Abbey Theater first produced Synge's *Playboy of the Western World*, the spectators rioted over what they called a libel on the Irish character, giving the poet Yeats an opportunity to denounce them from the stage and later to write a brilliant denunciatory poem on the occasion. When David Rabe's *Sticks and Bones* opened at the Public Theater, it was approvingly received both by audiences and critics, and transferred to Broadway, even though it could more accurately be called a libel on a national character, particularly on the character of the middle-class audiences now supporting it. It is obvious which of these two audiences is the more tolerant, but which is the more alive? Clearly, the Irish took their theater seriously, and we do not; they were jealous of their national reputation and we are not; they could engage themselves emotionally with what they saw on stage, and we cannot. The Irish may have reacted to their artists ferociously, blindly, stupidly, but they reacted with the animation of living men.

If the history of the modern theater is one of mutual suspicion between the playwright and his audience, the history of the post-modern theater here in America is one of quick rewards and instant media replay, where the serious writer fights not poverty and neglect but the fickleness of a culture that picks him up and discards him before he has had sufficient time to develop properly. Like any jaded culture, we hunger not for experience but for novelty, while an army of media commentators labor

This is the second of two articles that have been adapted from a speech delivered by ROBERT BRUSTEIN *as part of the Edward L. Bernays Foundation Lectures on Freedom of Expression.*

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ceaselessly to identify something new. In such an atmosphere, where unorthodoxy becomes a new orthodoxy and fashion the arbiter of taste, the function of the vanguard artist, sacrificing popularity for the sake of penetrating uncharted ground, is radically changed. The emblematic avant-garde figure is no longer the expatriate playwright, exiled from country, home and church, but rather Tom O'Horgan—catapulted, in the wink of an eye, from the lofts of La Mama to the stage of the Biltmore, where he now peddles nudity, hippie sensationalism, street theater and experimental techniques to Broadway audiences at $15 a throw, not counting the price of the taxi and the babysitter.

One of the causes of this condition can be found in the peculiar relationship between the American playgoer and the American theater critic: never before have a handful of reviewers possessed so much power and lacked so much authority. The mediocrity of newspaper and television reviewing throughout the country is nothing new—it is the inevitable result, first, of the need for haste, and second, of choosing reviewers from the ranks of journalism (from the sports page, say, or from the dance columns) rather than from literary or professional training grounds. What is new, and most depressing, is the scarcity of decent critics anywhere else. It is almost as if the theater had been abandoned by men and women of intelligence and taste, and delivered over wholesale to the publicists, the proselytizers, and the performers.

Theater criticism once attracted writers of the caliber of Stark Young, Eric Bentley, Mary McCarthy, Elizabeth Hardwick, Wilfrid Sheed, Richard Hayes, Richard Gilman, Susan Sontag, Kenneth Tynan—writers, in short, who could be expected to analyze a play or production intelligently, and to correct the misjudgments of the daily press. When in 1959 Jack Gelber's *The Connection* was savaged by the daily newspapers, it was salvaged through the combined support of the weekly magazines, just as, three years earlier, the intellectual critics rehabilitated the American reputation of *Waiting for Godot* after its disastrous reception at the hands of such reviewers as Walter Kerr. (The process used to work the other way, too; in 1958, Archibald MacLeish's *J.B.* was more accurately evaluated by the magazine critics after *The New York Times* called it "one of the most memorable works of the century.") Today, this kind of corrective has practically disappeared, as the dissenting critics have departed or changed their focus. Most intellectual journals don't even include theater chronicles any more. Harold Clurman still holds down a corner of the *Nation*, but his writing has grown fatigued and his judgments flaccid. Stanley Kauffmann writes too irregularly about the theater in *The New Republic* to have any impact. And John Simon's virtually singlehanded crusade, in *New York* magazine, to preserve high standards has become vitiated by his uncontrolled savagery, his punning style, his peculiar prejudices, his personal attacks on the physical appearance of actors, and his obsessive campaign against real or imagined homosexuality on the stage.

Simon's progress may suggest why so many other serious writers have abandoned theater criticism, for it shows what may happen to a man of intelligence and discrimination when he observes too long the execrable products of the American theatrical scene: first, he becomes so enraged over what he sees that he gets carried away on a wave of aggression; then, he gets locked into his fury and turns it into a mode of performance; and finally, he gets picked up by the mass media to play the role of Mr. Nasty Badman for the amusement of the television audience.

As for the young, who would normally be expected to swell the ranks of serious theater critics, providing new energy, insight and commitment, they seem peculiarly indifferent to the profession—partly because they have lost interest in the theater itself for the moment, partly because they distrust what they call "elitist" standards of excellence, but mostly, I would guess, because they have no exciting models to imitate. For while there is nothing like an exemplary critic to generate enthusiasm for the practice of criticism, the fact is that very few writers on the theater are setting very good examples these days. The *Village Voice* stable seems to share the same reflexive enthusiasm for every spasm of the post-modern imagination (though Julius Novick and Michael Feingold are two *Voice* writers capable of more dispassionate judgments), while black theater critics engage in a similar kind of proselytizing on behalf of black theater, proclaiming the death of Western drama every time LeRoi Jones or Ed Bullins delivers another assault on the honkies. Even Jack Kroll of *Newsweek* has begun using his considerable sophistication in praise of second-rate plays and productions, perhaps hoping to stimulate a flagging interest in the theater by inflating the reputations of emerging black and avant-garde aspirants.

In the face of such obvious partisanship, the reader can begin to lose his trust in the sincerity of the reviewer, and nowhere is this insincerity more patently revealed than in the columns of Clive Barnes. Barnes' writing for *The New York Times* combines a transparent dislike for much of the American theater with a manifest compulsion to save it from economic disaster. This results in a style composed of such glaring contradictions that it is impossible to parse a single sentence without falling into confusion (Barnes' characterization of Odets' *The Country Girl* as "precisely the kind of gorgeous mediocrity we need on Broadway" is only the most famous example of this self-defeating ambivalence).

Perhaps in recognition of the fact that the *Times* is now the single arbitrator of success or failure in the commercial theater, Barnes has begun resorting to greater and greater extravagances of style in order to suggest that he has any enthusiasm at all for a play, with the result that he is in the process of losing his credibility entirely with the theatergoing public.* It is difficult to take seriously the judgments of a man who can speak in nothing but superlatives, and who, in the course of a single year, says five or six different actors are giving the most brilliant performance of their lives, calls eight or ten resident companies one of the finest in the country, announces four or five plays to be the best of this or any season, or compares a young writer after his first play with Chekhov. Barnes' use of hyperbole, with its promiscuous display of the word *best*, exposes not the splendors of the theater season but rather its bankruptcy, for it suggests that Barnes' need to identify works of merit or interest has far outrun the theater's capacity to create them. Needless to say, after the seventh or eighth time that a spectator has found himself misled by such language, either cynicism or apathy is bound to result, and even those plays for which Barnes may have some genuine feeling (Michael Weller's *Moonchildren* presumably) are no longer

*By contrast, Walter Kerr, who writes in the Sunday section of the *Times*, has been gaining in credibility (though not in influence) by virtue of his forthrightness and candor, though he still tends to be somewhat limited in his vision of the theater.

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able to attract audience interest.

Obviously, no theater can benefit in the long run from fake approval, partly because the critic becomes discredited, partly because the spectator grows disenchanted, partly because the theater practitioner begins to lose faith in his craft. The very rare work with serious aspirations gets lost in the general atmosphere of praise—either because it is ignored or unappreciated, or more likely because it is acclaimed in the same way as everything else. When the inspired and the routine are treated exactly alike, the act of criticism comes to seem arbitrary and capricious; when the corrective impulse is abandoned, the whole construct of standards breaks down. A serious literary artist can always hope for an understanding review or two in the midst of the general incomprehension, and anyway, regardless of reviews, his book continues to exist for future generations to discover. But the theater artist writes on air, and preserves his work only in the memories of those who see it. In the present critical atmosphere, even those memories are tainted. The marriage that must exist in any artform between the mind that creates and the mind that judges has begun to dissolve in the theater, with the result that the artform itself is in danger of losing its purpose and direction.

Meanwhile, the theater artist is foundering in an ooze of approval where he finds no walls against which to press, no barriers to break, no limitations to transcend—only an escalating praise of his work by critics who don't really mean it, coupled with the inattention of spectators who don't really care. As children are sometimes driven wild by their failure to provoke an overly tolerant parent, so this theater artist may find such approval, though flattering at first, enfeebling to his will, confusing to his sense of purpose, maddening to his spirit. And he may find, too, that like the child with the permissive parent, he is not really cared about in some profound way, that he is regarded as an abstraction rather than a living creature, that he is failing to make a truly human connection, with the result that his frustrations lead him into ever greater provocations in the misguided hope that someone at last will pay some serious attention.

What has this to do with freedom of expression in the theater? Everything. For at the very moment when true freedom has at last become possible, after years of timidity, censorship and inhibition, there may be nobody around capable of enjoying it. It is as if an orator, dumb all his life, were about to open his mouth and discourse the rarest speech—except all his auditors had fallen asleep. One almost begins to think with nostalgia of the time when the theater had the capacity to offend the government, bring on the watch-and-ward societies, call down the police, infuriate the critics, make mad the guilty and appall the free—because those very threats to its freedom were a testimony to its powers. If the theater wishes to retain these powers, it must start by demanding a criticism which is informed and exacting, and seek out a spectator with an independent mind. The theater must be willing to exchange approval for discrimination, sacrificing applause for the sake of rigor and taste. It is not, in short, the theater that must be freed now, but those who observe it—free to judge, to respond, to develop a passionate relationship to the stage. Without this, I fear, freedom in the theater will remain a mockery, an empty option of the mute and the deaf.

Robert Brustein

Social Note

Thirsty? A party for General Reinhard Gehlen is being given by Mr. Christopher Shaw, president of the World Publishing Company, on May 26, in honor of the publication of an edition of the general's memoirs. Editors of reviewing publications have been invited to have a drink with Hitler's former chief of intelligence. The general is the subject of two recent volumes (reviewed in these pages on April 29, "Our Man Beelzebub") describing how he left Hitler when there was nothing to leave and joined forces with the CIA, how he recruited his intelligence forces for penetrating the USSR from the Old Boy network of ex-SS and Gestapo men, how he operated out of a $300 million Bavarian fortress, and how he dreamt of Russia and America at loggerheads so that Germany could rise again. Cocktails are at 6 p.m.

Correspondence

Laser—Pro & Con

Sirs:

Robert Barkan's article on lasers (April 8) presents a hodgepodge of information based mostly on inflated rumors and speculations in defense industry journals. Underneath all this there appear to be two main thrusts: firstly, to prove by the interest of the military that the laser is a terrible device which had better never have existed; secondly, to condemn the scientists who developed it for irresponsibility. Along the way, the layman must get seriously confused as to what a laser is: "Faster than a speeding bullet, more powerful than a guided missile, the laser travels at the speed of light, radiating energy at several trillion times the intensity of the sun's surface with pinpoint accuracy."

The simplest laser basically resembles a fluorescent light bulb emitting a narrow beam of light from one end. So the laser itself travels at the speed of whatever it is attached to. The light beam, naturally, travels at the speed of light. The actual energy involved in most lasers is very modest; the important point is that the energy is compressed into a tiny area of space and interval of time. These properties make the laser an exceptionally important scientific tool, and also give rise to many practical applications.

If a material absorbs more energy in a given time than it can get rid of by heat conduction, it will melt; by building a big enough laser, one could drill a small hole in nearly anything. But for the average human there is a little difference between that and a rifle bullet. Presumably the military is interested because it is impossible to detect the beam coming in and have time to take defensive or evasive action. But, by the same token, it is impossible to guide or correct the beam after it has left the laser. Another virtue is that the beam travels in a rather straight line. These properties hardly make the laser a terrifying weapon, considering what we are used to. Indeed, they would almost mark a return to the rifle, a relatively welcome idea.

Barkan notes that the laser was "a basic research project 'that had absolutely no relevance to any military use at the time it was financially supported by the Department of Defense.' " Furthermore, twelve years of intensive effort have so far failed to produce anything more sin-

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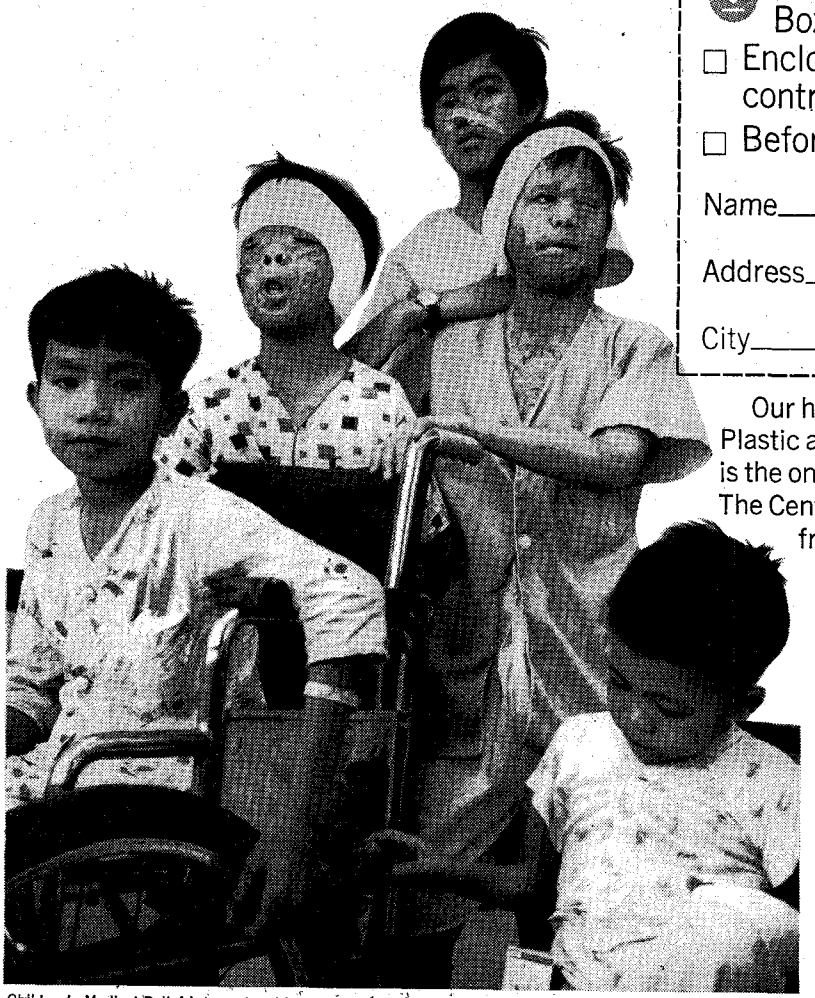

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ister than improved navigation and guidance systems. How then could the original scientists, with their primitive laser, foresee any harm and decide to forego their investigations? Clearly they could not. The laser was the inevitable outcome of many years of research. The only way to avoid such mainstream scientific developments would be to stop basic research altogether. To even hint at such a drastic proposal responsibly, one should require a much more thoughtful appraisal of benefits and dangers than the offhand dismissal of the one and wild exaggeration of the other that Mr. Barkan provides for the laser.

Virgil L. Highland
Department of Physics
Temple University

In reply:

Professor Highland correctly states that it is the laser beam rather than the laser itself that travels at the speed of light. I chose not to discuss the many beneficial applications of lasers because those are the ones we usually hear about. If such recognized authorities as Professor Arthur L. Schawlow, who co-invented the laser and travels around the country lecturing on it, neglect entirely to acknowledge the military applications of lasers, then I shall play devil's advocate. I reiterate: according to the authoritative *Laser Focus* magazine, military uses of laser systems account for more sales than *all other applications combined.*

The "inflated rumors and speculations in defense industry journals" such as *Aviation Week* and *Air Force* magazine are in reality current developments and well-founded expectations reported or "leaked" to the editors of these journals by their friends in the Pentagon. Defense companies regularly rely on these insights into Pentagon plans when undertaking multi-million dollar projects.

Contrary to what Professor Highland states, there is an enormous difference between a beam from a laser ray gun and a rifle bullet. Any hunter can testify to the necessity for "leading" a running deer or a flying duck. In a military context, such as a radar-directed anti-aircraft gun, this requires incredibly sophisticated mathematical lead computations on an expensive and heavy computer. Since a rifle bullet that travels at the speed of light is not forthcoming, the Pentagon is spending over $70 million this year for the development of laser ray guns. Under a $5 million program called "electro-optical warfare," the air force is developing laser ray guns for "visual countermeasures" against North Vietnamese anti-aircraft guns aimed by the human eye. (Such optically aimed weapons – as contrasted with those that are radar-directed – have accounted for up to 80 percent of the aircraft losses in the Vietnam war.) "Considering what we are used to" – ten years of needless death and destruction in Southeast Asia – I agree that "these properties hardly make the laser a terrifying weapon."

As an engineer myself, I do not regret that the laser was ever developed; nor do I wish to castigate those scientists who performed the basic research on it. Rather I castigate those scientists who followed afterwards, who conduct applied research that could hardly be applied to any problems save those of the Pentagon, while defending their work in the name of basic research.

Robert Barkan
Pacific Studies Center
East Palo Alto, California

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Social Institutions

Sirs:

I was struck by the relationship between the statement by Martin Mayer ("Improving Schools," April 1) and the speculation by Robert Martinson ("Dangerous Myth," April 1). Mayer says "We need ways to keep schools from dominating the future chances of students –" and Martinson speculates "Suppose that recidivism rates over the last 150 years were not affected by the changes in prison regime, that instead they simply reflect the interruption of normal occupational progress." Later Martinson points out that this "life style damage" is most irreparable in ages 15-25. I think it reasonable to suppose that Mayer was referring to the age group 15-19. Both were criticizing social institutions. Both implied that solutions to some of the problems of these institutions did in fact reside outside the control of those institutions. One result from the situation of providing no alternative to schooling for persons, age 15-19, who are unable to perform in schools but who instead ought to mature while engaged in an occupation, is that many of them will turn to crime. Now they are criminal, incarcerated, perhaps rehabilitated and trained for a job that does not exist, and around we go again. All of our social institutions should be humanized both for the people in them and for the people involved in operating them. But the humanization of schools will only benefit those who are in the schools. One persistent problem of public education is how to reach the percentage of nonpupils who cannot or will not function under the aegis of the school system. If the Mayer statement is true and Martinson's speculation provable, then we may conclude that the root cause of much that we are critical of in our public institutions is outside the jurisdiction of those institutions but it is traceable and recognizable. Both articles pointed to the same culprit – the economic disparities of our culture.

Bill Powers
Grand Rapids, Minn.

Etiquette?

Sirs:

It is with some interest that I see Grumbach's review of Amy Vanderbilt's *Etiquette* (NR 29 April), where she mentions that brides need no longer wear (white) gloves. A learned English colleague observed that this originated to protect the hands of the delicate newlywed from contact with the male member of the bridal couple. And yet, even with such innovations, Grumbach accuses Vanderbilt of not paying attention to the sexual revolution!

Michael Silverstein
Harvard University

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Busing Moratorium

Sirs:

In your April 22 issue Alexander M. Bickel tells us that a congressionally ordered moratorium on busing would create a grave constitutional crisis (which it would), but that a congressionally ordered moratorium (nature and duration not specified), attached to legislation which represented an affirmative attempt to solve the problems of racial concentration and unequal and inadequate educational results would be a "perfectly proper development of our system of separation of powers."

His argument is hardly convincing. How long a moratorium or "obligatory delay of the exercise of a function"? The Preyer-Udall bill, to which Professor Bickel refers, requires submission of 10-year plans. Do we then have a 10-year moratorium to see what happens? And if it doesn't work, another 10-year moratorium while Congress tries something else? A moratorium until the end of the present session of Congress (*i.e.*, through the 1972 election) and than another for the new session?

How comprehensive a moratorium? Only busing for purposes of integration? Or on all the devices enacted into legislation? The Preyer-Udall bill, for example, contains a proposal, supported by *The New Republic* and Professor Bickel, described by him as "education vouchers allowing parents to choose among both non-segregated public and private schools." The major proposal along these lines (the OEO tuition voucher proposal) involves universally guaranteed busing on a "freedom of choice basis." The "private" schools involved would retain full control over staffing and curriculum. The chief safeguard against segregation is a requirement that participating private schools with more applicants than places, would have to choose up to half their students from *among applicants* on a non-discriminatory basis. Who determines whether the failure of applicants from a particular race to apply, and consequent *de-facto* segregation, is "voluntary" or the result of the choice of staff and selection of curriculum designed to prevent unwanted minorities from applying? Obviously, say the authors, the courts!

There is nothing to prevent the Congress from acting at any time to carry out its responsibilities under the Constitution, either by affirmative legislation affecting the schools, or by an all-out effort to break up segregation in housing, which is the real problem. Any legislative moratorium on the functioning of the courts in their interpretation of the Constitution involves a serious constitutional issue, and describing it as for "good" purposes, as Professor Bickel does, rather than for "negative" purposes, does not change the issue, nor promise a "good" rather than a "bad" outcome.

Russell I. Thackrey
Washington, D C

Kauffmann, *from page 22*

valid Americana in American films. Here is an American folk comedy, today. Expect little; get lots.

Congratulations to Stephen Geller, Dede Allen, Miroslav Ondricek, and George Roy Hill for their work on *Slaughterhouse Five*. Geller made a cohesive, *dramatized* script from Kurt Vonnegut's novel; Allen, one of the best film editors alive, dexterously braided the three-part story; Ondricek, the cinematographer, fixed quintessences—the gravy of suburbia, the grayness of bombed Dresden; and Hill directed with some compassion and humor.

The Vonnegut novel is a good example of that much overrated author at his best: facile wryness, sophomoric rue, mousetrack implications of cosmic mysteries. His huge success in college dormitories—and with those faculty members who wish they could be living in them—is easily explicable: his philosophy could hardly be more accessibly ironic, his style more glibly implicative, his humor more nudgingly collusive, his humanism less demanding or more flattering. Like many inferior novelists, he films better than he reads; film supplies what he doesn't. But Geller, his adapter, could not—or at any rate, did not—supply the fundamental omission: a theme.

The book travels back and forth in time so constantly that one hardly knows whether it is written "now" and flashing back or "then" and flashing forward. That's fine, that fluid time-locus, in itself. The three main stories are the hero's wartime experience in the bombing of Dresden; his postwar well-upholstered married life with a well-upholstered wife; and his dream (?) life on the planet Tralfamadore, where a Hollywood starlet is brought to mate with him in a large plastic dome.

The war stuff, in book and film, is nicely balanced: German soldiers and US soldiers are all victims of power madness. The suburban stuff, in both, is trite cartoon. The planetary stuff, in both, is Arthur C. Clarke warmed over: the wise spacefolk who look down pityingly on infantile earthlings and try to enlighten them. Outside of Vonnegut's cleverness in weaving these three strands, what is the point of it all? Is it that the war was fought only to return to a materialist society and that Out There people know better? All the fuss of this apparatus just for that? And so banally expressed? Geller has given the film script a wholeness of form, but it still leaves us with an unfed feeling. After all the table-setting and head-waiter's flourishes, where was the meal?

Michael Sacks plays the hero, Billy Pilgrim. (*There's* a modest name to give your hero.) Sacks is so obviously intended to be Everyman that he ends up No-man, undistinguished and uninteresting. Sharon Gans plays the fat wife with porky devotion. Eugene Roche is good as a GI who was a Boston trade-school teacher. Ron Liebman, the violently vindictive Lazzaro, is more of a self-flagellant than an actor, but here he whips up some useful furies. Valerie Perrine, the starlet, becomes sexier as the picture goes on; maybe that's because I couldn't hear her dialogue in her first scenes.

A lot of good makings in this picture; but very little is made.

Loot (Cinevision) comes from a play by an English writer, the late Joe Orton, whom some people think a black humorist of consequence. I don't. His blackness, to me, is usually only macabre prankishness, more perverse than pointed. This plot has to do with stolen money that is hidden in a coffin; the body that was in the coffin which happens to be the mother of one of the thieves; shuffling it back and forth; narrow escapes, and so on.

The play sagged. The film collapses. The director, the vulgar Silvio Narrizano, and a cloddish cast take good care of that. Richard Attenborough, as a conceited, silly, brutal detective, is doing a prime bit of thievery himself. He gives a thorough imitation of Michael Bates, who played the role on the London stage. (Bates is the prison warder in *A Clockwork Orange*.)

Play It Again, Sam (Paramount) is better than the play of that name, which may not be saying much but is saying quite enough. Woody Allen's thin farce-comedy was about a Woody Allen character who is a film critic and lives a

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dream life with Humphrey Bogart at his side, guiding him in *amour*. This, for patent reasons, is easier on the screen: they even begin with a clip from *Casablanca*. Allen himself is much better here than in *Bananas* because he didn't direct, someone else did (Herbert Ross), and because all the jokes are the same joke: shnookery. He can't play the various modes he tried in *Bananas*, but he can bumble and whine. I just wish he were *completely* unsuccessful with girls: the sight of Allen kissing a pretty girl is not really screen material. Still, there are some laughs in the picture, on a dogged, damn-you-*smile* basis.

And I suppose he has created a persona. The other night, watching TV, when I saw an astronaut trip over a cable on the moon and ruin an expensive machine, I thought, "Woody Allen!"

Personals

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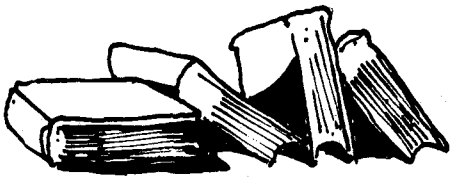

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